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WITHDRAWAL PROGRAM STUDY

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WITHDRAWAL PROGRAM STUDY

EXECUTIVE SUMMARY

The program study emphasizes the fact that the withdrawal program includes not only the congressionally mandated withdrawal review function, but also the ongoing withdrawal processing function. The organizational structure of the withdrawal review program varies with each State; however, the program is generally considered to be centralized in most State Offices, including Colorado. In Colorado as in most States, the field examinations and field reports are normally accomplished at the District and Resource Area levels, whereas the program coordination, budget, adjudication, and other functions are accomplished in the State Office. Because of the centralized nature of the program and considering the high cost of staffing the Districts and Resource Area Offices to assume additional responsibilities, the Study Team concluded that further decentralization to the Districts and Resource Areas would only lower program efficiency.

A workload analysis reveals that from FY 1985 through FY 1991, more than 75% of the withdrawals scheduled for review are on lands within the national forests. The Forest Service and other Federal agencies are responsible for accomplishing the field examinations and field reports for withdrawal reviews on national forest lands, and the State Office is responsible for the entire waterpower withdrawal review process. These facts significantly reduce what was first perceived as a major withdrawal review workload for BLM Districts and Resource Areas, and it also reinforces the argument against further decentralization. Regardless of what lands are involved, coordination, adjudication, public land order preparation, etc., will continue to be the responsibility of the State Office. The bulk of the program workload, including both withdrawal processing and withdrawal review, is therefore at the State Office level. Adequate workmonths are available for the program Statewide; however, some workmonths would have to be shifted to the State Office. New positions would not have to be established in the State Office provided that other nonwithdrawal staff are available to assume some of the workload.

The Study Team identifies a need to improve communications and concluded that timely written guidance and better feedback should be provided by the Washington Office to the State Office and by the State Office to the District and Resource Area Offices. To avoid confusion and misunderstanding, the roles and responsibilities of the program leader in 930 and the program coordinator in 940 should be clearly defined. Also, a number of case processing improvements have been suggested to eliminate duplication of effort.

Assuming a need to improve the organizational and communications aspects of the withdrawal program, the Study Team considered four alternatives for placement of the withdrawal program management functions: (1) All functions in 930; (2) all functions in 940; (3) the existing situation with the budget function in 930 and all other functions in 940; and (4) Budget, policy guidance, program planning and direction, quality control, realty work, and training in 930 with the remaining functions in 940. Although, Alternative No. 2 would be equally as workable as the existing situation, Alternative No. 3 was selected as the preferred alternative because of the traditional relationship of 930 to budget control and 940 to operational work, and because maximum flexibility in funding and staffing would be maintained. The key to making the existing situation work better is to improve communications between 930 and 940 and by clearly defining duties and responsibilities.

The Study Team found that the Colorado withdrawal program has some organizational and communications problems; however, the overall deficiencies of the program are not as critical as first perceived. It is the unanimous conclusion of the Study Team that a majority of the problems can be eliminated with improved communications.

WITHDRAWAL PROGRAM STUDY

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WITHDRAWAL PROGRAM STUDY REPORT

I. Introduction

A. Background

The Withdrawal Program, as administered by the Lands and General Mining Law Section, Division of Operations, is responsible for processing new withdrawal applications, Act of Congress Withdrawals, opening orders, land classification terminations, withdrawal relinquishments and continuations, and the review of existing withdrawals mandated by Congress through the Federal Land Policy and Management Act of 1976 (FLPMA).

The congressionally mandated review of existing withdrawals has significantly increased the workload of the withdrawal program. This increased level of effort will continue until the review of all withdrawals in Colorado is completed. The deadline for completion of the review program is 1991. Colorado's schedule for review indicates their workload will range from 45 to 59 cases a year from 1985 through 1990. Realistically, submissions from other agencies will probably lag somewhat behind their scheduled commitments, increasing workload in later years.

Concerns over the staffing and management of the Colorado withdrawal program from 1985 - 1991 were discussed at a Realty Workshop held December 14 - 16, 1983. Participants in the portion of the workshop which was looking at withdrawal concerns, concluded that a comprehensive study of the "4213" program was needed. Appendix 1 is a transcript of the flip chart sheets that were prepared by the workshop participants and the State Office Management Analyst in defining the study objectives and scope.

Team members, Champ Vaughan, Oregon State Withdrawal Review Coordinator, and Jack Dugwyler, Bureau Waterpower Program Leader, were selected to assist the State Office Management Analyst, Judith Herrington with conducting the study.

B. Study Techniques and Process

The Withdrawal Study Team used a wide variety of techniques and resources in the analysis of the program. Initial efforts concentrated on interviews with State Office personnel, administration and analysis of a written questionnaire, and research into program policy and guidance, program costs, time charges, outputs, and other hard data. The second phase included on-site interviews with District, Resource Area, and State Office personnel. The final phase included data analysis, followup research and interviews, and report writing.

C. Questionnaire Analysis

On March 19, 1984, a scoping questionnaire was sent to Colorado BLM employees at all organizational levels who have or might have involvement in the withdrawal program. Response to the questionnaire was variable. Of the questionnaires distributed to each office, Canon City returned 85 percent, Grand Junction 44 percent, Montrose 62 percent, Craig 33 percent, and the State Office 82 percent. Overall, the response rate was 59 percent.

A summary of the questionnaire responses (Appendix 2) indicated significant concerns in the following areas:

1. State and Washington Office communications, guidance, feedback, and support,
2. Work and budget distribution,
3. Delegations of authority,
4. Work quality and timelines
5. Coordination with other agencies.

The questionnaire results did not, however, reflect the true level of concerns of the field offices. In almost every case, aside from the negative perceptions of State Office communications and feedback, field office personnel were not as concerned about topics/issues as their responses indicated.

On site interviews verified the existence of significant problems with communications, guidance, and feedback. The lack of communications between the State Office and field offices was so significant that it caused distorted responses on many other issues (responses based on inaccurate or inadequate understanding of the program policies, processes, or interfaces). When questioned in detail during on-site interviews, it was clear to the Study Team that District and Resource Area employees did not have any real problems with State Office work quality, support, feedback, or timeliness that could not be resolved with improved communications.

The questionnaire responses on delegations of authority (questions 2, 12, 27, and 34) indicated a general concensus among 3 Districts that all withdrawal functions should be delegated to the District/Resource Area Office level, but only if accompanied with positions and funding. However, when the State Office functions and current staffing levels were described in detail, the field personnel were markedly more uncertain about the desirability of taking on the State Office responsibilities. Two Districts felt the State Office should continue to do all the withdrawal review adjudication; two Districts were strong advocates of consistent implementation of decentralization, therefore, supported delegation of withdrawal responsibilities to the field. They were, however, not totally convinced that delegation would be an effective or efficient use of time or staffing in the withdrawal review effort.

Field office concerns about coordination with other agencies expressed in the questionnaire also reflected a number of communication problems. District and Resource Area personnel did not clearly understand what their responsibilities were in regard to assuring that other agencies submitted their cases timely. They also had widely differing understandings of what documents other agencies should be submitting and what work the District and Resource Area Offices were responsible for completing on those submissions.

Budget and workload were concerns to most field people as the allocation of 4213 funds to Districts during the past several years has not been based on current workload, but was a reflection of historic needs and support for existing staff. Without a clear understanding of the volume and scope of work they would be expected to handle during the withdrawal review program (through 1991), the field personnel felt they might be unable to cope with the forthcoming workload.

D. Organization of the Report

As a result of scoping and fieldwork, three major issues were identified: future workload, program management, and communications. The report is structured to address these topics. Future Workload, Section II, looks at the total withdrawal workload FY 1984-1991 and how it can be most effectively managed. It includes a subsection (Implementation of the Recommendations) to assist management to assess the workmonths needed during these years and provides outlines of the proposed work flows. The final subsection, II. E., provides recommendations for process improvements. Section III, Program Management, looks at the relationship between the Withdrawal Staff in the Division of Operations (943) and the Realty program leader in the Division of Lands and Renewable Resources (931). Four different alternatives for program management are examined and recommendations with supporting implementation actions are provided. Section IV, Communications, examines the communications processes between the Washington, State, District, and Resource Area Offices, and details actions the Study Team feels are necessary to resolve the existing problems.

II. FUTURE WORKLOAD

The Study Team was requested to identify the future workload of the Withdrawal Processing/Withdrawal Review Program including the Waterpower withdrawals, but not the Waterpower Staff functions. No consideration has been given to historic funding allocations or support of existing positions or programs other than Administration and the Office of the State Director.

A. Existing Situation

The following information was found or assumed to be true:

1. Except for waterpower withdrawals, the review of all Bureau withdrawals and classifications in Colorado will be completed by the end of FY 84. However, about 180 cases are in Washington awaiting final action. (Future workload)

2. An inventory of other agency withdrawals, including verification of inventory data with the other agencies, has been completed for Colorado. (About 274 cases - does not include 85 orders involving waterpower withdrawals which have been scheduled but the land records have not been verified.)

3. A schedule of withdrawals has been developed and agreed to by the agencies, indicating that the SO will have received all necessary data by the end of FY 90.

4. The withdrawal review workload in Kansas is minimal, four agencies manage 26,000 acres of Public Domain lands.

B. Findings/Determination of Workload

In order to determine the future workload, the following information was acquired or developed: the case work or types of actions required, the average hours or workmonths (WMs) required to complete each action, and the number of actions that must be completed each year through 1990.

1. Case work or types of actions

For the purpose of this study, the case work or types of action were grouped into three general categories: withdrawal, processing, withdrawal review, and support, as follows:

a. Withdrawal processing (All actions not initiated by withdrawal review)

1) New withdrawal applications/petitions

2) Petitions for revocations/restorations

a) Public or other agency petitions
b) Bureau motions

3) Opening Orders [other than Public Land Orders (PLO's)]

a) Opening reconveyed lands
b) Termination of classifications/notices of realty action

4) Processing new Federal Energy Regulatory Commission (FERC) power project withdrawals and Act of Congress withdrawals

Withdrawal processing is intended to include all actions not related to withdrawal review and will continue to be required after the initial review responsibility is completed prior to FY 91. The Study Team determined that these were well established Bureau responsibilities, and a detailed study was not needed.

b. Withdrawal review (All actions initiated by withdrawal review)

1) Revocations
2) Continuations/modifications

The case work or action required for withdrawal review was not as clear to the Study Team, and considerable time was spent on interviews and research in this area.

c. Support (not case specific)

1) Policy and budget
2) Coordination, guidance, planning
3) Supervision, administrative/clerical, training, meetings, and reports
4) Public inquiries, special requests, miscellaneous consultations, resubmittals, and disagreements (schedules and procedures)
5) Backlog in WO - 180 cases
6) Office of the State Director and the State Office, Division of Administration

Although by definition the component code 01 Support is intended to capture costs too general to code accurately to specific program components (for 4213 these are: 32 Withdrawal Processing and 35 Withdrawal Review), only the following job codes are available under components 32 and 35:

26 Environmental Assessment
27 Environmental Statement
28 Review of Non-Bureau ES
36 Special Designations
82 Date and Graphics preparation and Entry

A significant portion of the withdrawal processing/withdrawal review work is typing and status notations and must be charged to Component Job Codes 01-13 and 01-32, respectively, even though it is specifically related to components 32 and 35. The limited number of job codes and vague descriptions has resulted in miscoding or, at least, inconsistent coding. Although three of the above job codes relate to environmental work, very little is required for withdrawal review.

The Study Team obtained the time charged to 4213 in FY 83 and 84 from the time cards and the Program and Cost Reports. This data provided a few general insights but was inadequate to determine the time required to complete specific case work or types of actions. As an example, CO 940 charged about 48 percent of their 4213 WM's to 01-Support. This compares to about 41 percent for all of 4213 and an average of 35 percent for all State programs. About 29 percent of the total 4213 WMs were charged to 01-13 and 01-32.

2. Workmonths and number of actions

The time required to complete all actions is based on historical data, statewide interviews, and the Study Team's knowledge and experience. The average hours or workmonths required to complete each action obtained during the interviews were found to be reasonably consistent statewide. It is recognized that the time to complete individual actions may vary significantly from these averages; however, they are considered adequate for determining total workmonth requirements and distribution.

a. Withdrawal processing (actions not initiated by withdrawal review).

These actions generally are well-established Bureau responsibilities, and historical workmonth and skill requirements as well as level of responsibility are considered reasonably adequate. Actions related to FERC project withdrawals should be consistent Bureauwide and may require WO direction to insure that only those required and funded actions are being accomplished.

Although this work is being charged to 4213, it is not clear that all of the workload is adequately addressed in the PAWP, the AWP, or in either output report. It is estimated that there will be about 72 withdrawal processing cases, requiring a total of 12 WMs per year.

b. Withdrawal review (All actions initiated by withdrawal review).

FY 84 marks a significant shift in emphasis from Bureau withdrawals to other agency and waterpower withdrawals. The role or workload of the Bureau has shifted from reviewing Bureau withdrawals to reviewing other agency withdrawals to ensure compliance with FLPMA and Bureau requirements. It is essential that the guidance and direction to the other agencies is effectively communicated to ensure that their submittals contain all the required information to enable the Bureau to make adequate findings and recommendations and prepare appropriate public land orders.

The skill mix required to review other agency and BLM withdrawals is essentially the same. However, there may be a shift of workmonths from Realty Specialist to Adjudicators. It was also found that some of the adjudication workload can be done by a Conveyance Clerk.

An analysis of the workload indicates a significant increase in the time required for a land report when the withdrawal is off the National Forest (about 4 days as compared to 4 hours for those on the National Forest). The 4 hours for a land report on the NF is basically a review of the information submitted by the other agencies and normally would not require on-the-ground examination by Bureau personnel. Therefore, it could be done in the State Office with some savings in transmittal and review time. In a very few cases, some input may be required by the District Office (DO) or Resource Area Office (RAO).

It has been determined that the report prepared by the Waterpower Staff should normally suffice as a land report for waterpower withdrawals (Appendix B1 of IM 84-206).

Of the 274 other agency (non-BLM) cases to be reviewed, 220 are on the National Forest (NF) and 54 are off the NF. The Withdrawal Review schedule has been summarized on Appendices 3 and 4. The number per year for the State ranges from 40 in FY 84 to 59 in FY 85 and 86 with an average of 52 withdrawal review cases per year for the 7-year period. To complete an average of 52 cases will require about 15 WMs per year. After the schedule was developed, the SO was advised by other agencies that at least 10 of those scheduled for FY 84 would not be submitted this year. Although the Study Team feels that the other agencies will submit all of their withdrawals by FY 90, it is very likely that the schedule will continue to slip and there will be more than the above-mentioned 52 cases per year to be done toward the end of the schedule. If the workload reaches 70 cases per year, assuming these will be on the NF, about 19 WMs per year would be required as compared to 15 WMs for an average of 52 cases per year.

The workload per year for the entire state could be fairly uniform with effective planning and coordination; however, the workload per year for the Districts will be sporadic with no significant workload in some years. (See Appendices 3 and 4.)

c. Support

Under this category the Study Team attempted to capture all the work that could not be identified with specific cases under Withdrawal Processing and Withdrawal Review. The specific items shown on Appendix 5 will require about 15 WMs per year.

In addition to the above, the SO Division of Administration and Office of the State Director will need to be funded. In FY 83 this amounted to about 14 percent of the total dollar expenditures for 4213. For FY 84, funding is planned at 25 percent. It is understood that this may be below 10 percent in FY 85 and beyond.

At the end of FY 83 there were about 180 cases in the WO awaiting final action, including approval of public land orders. A total of 2-6 WMs will be required whenever these are completed and returned.

C. Recommendations

1. Withdrawal processing /withdrawal review cases should be handled as follows:

   a. Other agency new and existing withdrawal applications/ withdrawal review cases on the NF should be processed entirely by the SO.

   b. All other agency withdrawal processing/withdrawal review cases off the NF should be processed by the State Office, except for required field examinations and field reports which should be accomplished by the DO/RAO.

   c. Petition/applications for new Bureau withdrawals will continue to be initiated by the appropriate District/Resource Area office.

   Support for recommendations

   Centralized processing of withdrawal cases on the NF will:

   a. Provide a single point of contact for other agencies.

      1) Effective communication and consistent guidance between BLM and the other agencies is essential.

2) Assuring other agency compliance with the schedules and any necessary schedule adjustments will be more efficient with a single point of contact.

b. There will be a continuing need for withdrawal processing/ withdrawal review coordination and review; policy/budget guidance and direction; and surnaming at the State Office level, regardless of where the work is done.

1) Other agency withdrawal applications, relinquishments, and rejustifications will be filed with the State Office. If all or any portion of the work must be done at the DO/RAO, the lapsed time and quality control time increases. See Appendix 6 and 7, Flow Chart Off the NF, Steps 1228 and On the NF, Step 12.

2) Communication with WO is difficult for a single State coordinator due to changing policies, procedures, and a lack of specific written guidance that would be available if this were a more significant and long-range program. It will be extremely difficult and time consuming to achieve a common understanding of Bureau policies and procedures if all or a major portion of the adjudication workload is delegated to the DO/RAO.

3) Resolution of significant differences between the Bureau and the holding agency should be at the Regional/State Director level.

4) All Waterpower withdrawal reviews will be processed entirely by the SO as required by Instruction Memorandum 84-206.

c. Preparation of public land orders at the DO would necessitate acquiring additional DO adjudicators, providing training in withdrawal adjudication, and transferring withdrawal records (case files, historical indices, CDI cards, etc.). The SO would also have to review DO work for an extended period of time, and would have quality control responsibilities indefinitely. Workload at District level would not justify a full additional position even in peak years.

d. Communications with the Regional Solicitor at Denver would be more efficient if done by the SO.

e. Centralization would provide certain efficiencies from specialization.

f. Delegation of all the withdrawal review workload (including adjudicative responsibilities) to the Districts would produce a sporadic annual workload with essentially no work in certain years for most of the Districts. (See Appendix 4.)

g. Delegation of all of the withdrawal review workload to the Districts would not significantly increase their funding level and the WMs would need to be spread among several skills. Even these WMs would be eliminated by FY 91.

h. BLM responsibilities in regard to land, mineral, and NEPA reports for withdrawal review on the NF is basically a review of other agency work and can be done at any level. If done at the SO, it will eliminate at least one level of review and reduce lapse time due to mailing, etc. The Study Team was advised that at least one District Geologist would not have time to prepare the mineral reports.

i. Decentralization may warrant further consideration if there is a significant workload after the 204(1) withdrawal review is completed, ALMRS is in place, and the Bureau can afford the benefits of decentralization.

D. Implementation of the Recommendations

1. Withdrawal review

a. In order to identify the withdrawal review workload/ workmonths and assist in implementing the Study Team's recommendations, three flow charts were developed. The flow charts list the required steps for Other Agency Withdrawals Off the National Forest (Appendix 6), Other Agency Withdrawals On the NF (Appendix 7), and Waterpower Withdrawals (Appendix 8). From these flow charts, the average hours required by the various skills were determined and are summarized for Off NF on Appendix 9, for On NF on Appendix 10, and for Waterpower on Appendix 11.

b. The report prepared by the Waterpower Staff should normally suffice as a land report (IM 84-206). On the NF, the Forest Service or other agencies are responsible for the field examination, if needed, and the land report for continuation/modification. For revocations, reports from other agencies are used in lieu of Bureau reports (BLM Manual 2355.34D and .35F). Therefore, the realty related workload on other agency and waterpower withdrawals is a review of the work of others to ensure compliance with FLPMA and current Bureau requirements and instructions.

1) The Realty Specialist at the SO (943) can perform this review function, obtain a mineral report when needed from the SO Division of Mineral Resources (920), and assure NEPA compliance.

c. Withdrawal review includes a state total of 359 cases to be reviewed during FY 84 through FY 90. This would require about 108 WM or 15 WM per year, if a uniform output of 52 cases could be accomplished. However, it is already known that only 30 cases may be received in time to process in FY 84.

1) The total allocation of workmonths to the Districts to complete all of the land reports for those withdrawals off the National Forest would be as follows: Grand Junction 1.5, Craig 1.7, Canon City 3.1, and Montrose 4.0. Although the WMs of 8, 11, 10, and 9 allocated respectively to these offices in FY 84 is more than adequate, the Districts cannot complete the land reports until the other agency data have been received, reviewed, and forwarded by the State Office. With the small number of land reports required from the Districts, it appears feasible and desirable to make every effort to revise the schedule to complete this by the end of FY 86. It is suggested that the State Coordinator make every effort to revise the schedule accordingly by coordinating with the holding agencies involved.

2) An allocation for withdrawal review of 2 WMs to all Districts in FY 85 and 1 WM to Canon City and 2 WMs to Montrose in FY 86 would be appropriate if the schedule is revised to complete all, except for occasional input, of the District workload for withdrawal review. Although 14 WMs per year to the SO for withdrawal review (excluding support and withdrawal processing) appears adequate, it is suggested that 17 WMs be allocated in FY 85 and the actual workload monitored for future adjustment.

2. Withdrawal processing may include 72 cases per year requiring 12 WMs of which 5 WMs may be required by the Districts. (See Appendix 5.) However, it is suggested that withdrawal processing be increased to 10 WMs for the Districts (2.5 WMs each) and 9 WMs for the State Office in FY 85, and the actual workload monitored for future adjustment (see Tables 1 and 2).

3. Support that is not case specific (see Appendix 5) may require 15 WMs per year of which 1 WM may be required by the District. (See Appendix 5.) However, it is suggested that support be increased to 2 WMs for the Districts (0.5 WMs each) and 17 for the State Office in FY 85, and the actual workload monitored for future adjustment (see Tables 1 and 2).

4. Summary - workmonth allocation

Tables 1 and 2 (below) are a summary of the suggested allocations. FY 86 assumes that Craig - 010 and Grand Junction - 070 will have completed their Withdrawal Review work in FY 85 and the other two Districts will complete theirs in FY 86.

Table 1

FY 85 Allocation of Workmonths Required
[Does not include State Director, Admin., Minerals or Waterpower Staff]

	District		State Office	
	Each	Total	(930-940)	Total
Withdrawal Processing	2.5	10.0	9.0	19
Withdrawal Review ---	2.0	8.0	17.0	25
Support ----------	0.5	2.0	17.0	19
Total ----------	5.0	20.0	43.0	63

Table 2

FY 83-90 Allocation of Workmonths Required
[Does not include Waterpower Staff]

Office	010	030	050	070	910	920	930	940	950	Total
FY 83[1]	13	10	9	8	3	0	2	63	21	129
84[2]	11	9	10	8	2	0	3	50	48	141
85	5	5	5	5	2	1	2	41	7	73
86	3	5	4	3	2	1	2	41	6	67
87-90	3	3	3	3	2	1	2	41	6	64

[1] Expended - Expenditure in dollars converted to WMs.
[2] Planned - Expenditure in dollars converted to WMs.

E. Process Improvements

1. Develop and use for each case file, a check list covering all required actions. This will not only serve as a reminder of what needs to be considered or accomplished, but will provide a quick summary of actions completed to date. This should be helpful to the individual with primary responsibility for the case and other individuals responsible for completion of various steps or review. The check list could be designed to monitor work/lapsed time. (See Appendix 12 for an examples.)

2. Every effort should be made to use word processing, standard formats, and form letters. All written documents in the withdrawal processing/ withdrawal review program from transmittal letters to final PLO's contain a significant amount of standard terminology and language.

   a. Corrections to documents prepared for review or signature at a higher level are inevitable, regardless of how carefully prepared. Bureau Manual 2355 51A.7 requires transmittal of the word processor record. However, equipment at the various levels in the Bureau is not always compatible. This situation should be remedied. The ability to make minor corrections without retyping the entire document is essential. A typographical error in a PLO can require a correction signed by the Assistant Secretary.

3. Notice of opportunity for a hearing (meeting) (Bureau Manual 2355.35G1) should be deleted from the Notice of Continuation in accordance with WO IM 84-450. (See Appendix 13.) A legal description of the lands is also not required in the Notice of Continuation and should be deleted whenever feasible.

4. Master Title Plats must be filed promptly at the DO/RAO to insure that the current plats are being used (see section IV C.2.c of this report).

5. Errors on the Master Title Plats that are identified in the field must be promptly forwarded to the SO for resolution. The errors should be transmitted separately to the appropriate SO staff and not included as part of a case transmittal. The SO Withdrawal Staff should develop a simple form and procedure immediately (see section IV C.2.c of this report).

6. Recently published PLOs are a form of written guidance. The SO Withdrawal Staff should maintain a file of current PLOs that have been published in the Federal Register (not limited to Colorado). This file of PLOs should be available to and used by all staff involved in PLO preparation as general guidance.

7. The judicious use of a Conveyance Clerk may eliminate the need to increase the withdrawal adjudication staff in 943. There is a full range of pre and post adjudication functions and other withdrawal related tasks that do not require a fully trained adjudicator. Every effort must be made to insure that the Conveyance Clerk is available to accomplish those functions and tasks directly and specifically related to withdrawal processing and withdrawal review.

8. A significant amount of time is being spent on preparing legal descriptions for PLOs. Many of the corrections to PLOs are the result of lands being omitted or typographic errors by both the SO and WO. Every effort should be made to reduce this workload.

   a. Photocopies of legal descriptions furnished by the other agencies, with handwritten notations, should be adequate for in-house (SO/DO/RAO) functions. If it is clearly demonstrated that the SO must prepare and type a legal description of the land, the other agency land list should be used as a worksheet and merely verified against SO records. When all action in a PLO affects the withdrawal order in its entirety, no legal description is needed or expected by the WO. (Publication cost in the Federal Register can be significant when land lists require several pages.) When an action is taken that requires a legal description, use the simplest legal description possible (for example, township and range may suffice).

   b. The SO should use the legal description furnished by the other agency, and the REX inventory whenever possible. The Master Title Plats (MTP's) should be used as the basic document for verification preparation of legal descriptions. The MTPs in Colorado are now current and should be accepted as correct. The only time that the MTPs should be questioned is when they disagree with the other agency submittal.

   c. The SO should provide a legal description of the lands to the DO with the case file. The DO/RAO should report on the land included in the list provided by the SO and should not spend time verifying or typing the legal descriptions. The land report should merely refer to the land list furnished by the SO or include it as an attachment.

9. As required by Bureau Manual 2355.51A.1 and .61A.1, a copy of the withdrawal order, any amending orders, and copies of the appropriate status records/master title plats should be in each case file when it is received by the WO. The orders and current plats should be included in the case file before it is sent to the DO/RAO.

10. The SO (943) withdrawal adjudicator as well as the Withdrawal Review Coordinator should attend the annual Withdrawal Meetings. Workshops at these meetings, or elsewhere, should be conducted early in FY 85 covering PLO preparation and other tasks. This would be helpful in providing WO guidance to the field and provide significant input to the WO of problems and concerns at the field level.

11. The most important improvement that can be made to the Withdrawal Program is to improve communications. Implementation of the recommendations in Section IV - Communications, would go a long way toward resolving these problems.

III. PROGRAM MANAGEMENT

The Realty Workshop which "commissioned" this study listed as their third, sixth, and seventh priority issues various aspects of program leadership (see Appendix 1, page 4). Based on this initial concern, the results of the scoping questionnaire, and information obtained during on-site interviews, the Study Team felt program leadership should be addressed in the report as a separate topic.

The reader should be aware that, in keeping with the parameters defined for this study, this analysis does not consider impacts on or possible relocations of the Waterpower Staff. Prior to adopting any alternative, the affects on the waterpower staff should be analyzed.

A. Existing Situation

1. Management Role

The Study Team has defined the total management functions involved with administering the withdrawal program as including the following:

a. AWP, PAWP, and related budget functions
b. Policy guidance
c. Technical and operational guidance
d. Program planning and direction
e. Management by Objectives direction
f. Annual work assignments and schedules
g. Supervision of technical work, adjudication, and other tasks related to withdrawal functions
h. Supervision of realty work related to withdrawal functions.
i. Quality control of technical withdrawal work
j. Quality control of realty work related to withdrawal functions
k. Negotiations with other agencies regarding withdrawal review submissions
l. Coordination with other agencies regarding withdrawal work schedules and requirements
m. Coordination with other Bureau levels regarding work schedules and requirements
n. Designating "lead" District where withdrawals involve more than one District
o. Training

Bureau Manual 2355, Withdrawal Review, dated May 10, 1982, defines the management responsibilities of the Withdrawal Coordinator as including technical and operational guidance; support and training; representing or assisting the State Director in program development and negotiations involving other agency review of withdrawals; and reviewing all recommendations from District Offices relating to withdrawals. The remainder of the 14 management functions listed above are designated the responsibility of the State Director or not addressed in the manual.

2. History of the Program Management Role

The withdrawal function was first recognized as a significant Bureau responsibility and Withdrawal Review Coordinators designated in each State in approximately 1978. Separate funding (4213) was established in FY 1981. By this time, most States were well into their inventory of withdrawals; the congressionally mandated 15 year review of withdrawals had been underway for several years; and many organizational structures had been modified to handle the increasing withdrawal workload.

Organizational modifications to accommodate the withdrawal functions were accomplished without substantive Washington Office guidance. Consequently, each State has handled the organizational placement of responsibilities relating to leadership of the Withdrawal program differently. For example, Idaho moved a Realty Specialist from 930 to 940, designated him Withdrawal Review Coordinator, and gave him responsibility for all the management functions. Oregon, also, has placed all program management responsibilities in 940. Wyoming and Montana have reversed this move and placed the Withdrawal Review Coordinator and all other program management and operational responsibilities in 930. Other States, such as Nevada and Utah, have maintained a somewhat more traditional division of responsibilities between 930 and 940 with the Withdrawal Review Coordinator located in 940 and some variations regarding the distribution of other managerial responsibilities between the two Divisions. Even where all management functions are located in one Division, as many as three people may share those responsibilities.

Organizational variation rather than consistency has become the rule in the Withdrawal program.

3. Colorado Situation

In Colorado, the Realty program leader in 931, Branch of Lands and Recreation, has responsibility for budget and MBO preparation. The Chief, Lands and General Mining Law Section in 943 has been designated Withdrawal Review Coordinator. He also supervises all withdrawal adjudication and related work, assists the Branch Chief with quality control, is responsible for Colorado BLM and interagency coordination on the withdrawal review schedule, and prepares annual work assignments.

Supervision of Realty work related to withdrawals is provided by the District or Resource Area. Quality control of realty work accomplished by Resource Area personnel is provided by the District Realty Specialist, with the exception of Craig District Office. Negotiations with other agencies regarding their submissions on specific cases and schedules are taking place both at State Office (943) and field office levels.

B. Findings

1. The roles and responsibilities of the Realty Specialist in 931 and Chief, Lands and General Mining Law Section in 943 are not clearly defined. The Realty Specialist's position description does not address any functions specific to the withdrawal program. The position description of the Chief, Lands and General Mining Law Section, is for an organizational position no longer in existence. Neither 931 nor 943 has clearly defined responsibility for policy guidance, program planning and direction, quality control of realty work not reviewed at District Office level, or training related to withdrawal realty functions. The Section Chief, 943, has assumed these roles when decisions or actions were necessary but has not taken a strong leadership posture. This confusion has contributed to a number of problems:

   a. Lack of statewide guidance
   b. Lack of training for District and Resource Area personnel involved in withdrawal work
   c. Misunderstandings at District and Resource Area Office levels of their responsibilities, State Office responsibilities, and the responsibilities of other agencies.
   d. Quality control functions of District Realty Specialists occasionally being bypassed
   e. Absence of a statewide understanding as to who will judge (and by what criteria) the acceptability of other agency submissions.
   f. Low program visibility

   These problems are manifested in daily working situations by a high level of field office frustration with the State Office, particularly where the District and Resource Area people did not understand the work flow at State Office level. Some efforts are needlessly duplicated in a well intentioned effort to perform the work each perceived as his or her responsibility.

   These problems have not, to date, caused any serious encumbrance on accomplishment of work at any level. However, if not corrected, they will intensify in number and impact as the workload grows, particularly if the recommended alternative under Section II, is not adopted.

2. Placement of functions does not appear to significantly affect program operations if communications between those people performing the functions is adequate.

The Questionnaire responses to questions which dealt with the program split between 931 and 943 (Questions 9, 12, 25, 27) appeared to confirm the workshop participants' perception that this was a significant problem. On-site interviews in District, Resource Area, and the State Offices, however, did not support that perception. No indication was found that the division of functions between 930 and 940 was causing any of the leadership problems identified by the Study Team. Nonetheless, a generally high level of concern was expressed regarding the efficiency and effectiveness of the current division of responsibilities between 931 and 943. Because of the continuing concerns related to this issue, the Study Team examined a number of different options for handling program management and oversight responsibilities. These options are discussed under Section III C, Alternatives.

Some states appear to have more effective withdrawal programs than other States, but the Study Team could not determine whether the success of the program was attributable to organization and placement of functions, strength of leadership, or SO priority. It is apparent, however, that where responsibilities are split between Divisions or individuals, effective communication and cooperation between the "co-leaders" is essential.

C. Alternatives

The Study Team felt there were several options for placement of management functions. Four situations, which are considered as the most viable for Colorado, are examined in this section. They are: 1. Location of all functions in 930; 2. Location of all functions in 940; 3. Location of budget function in 930, other management functions in 940 (existing situation), 4. Location of budget, policy guidance, program planning and direction, quality control, realty work, and training in 930; all other management functions (reference III A. 1.) in 940.

All alternatives include the staffing and basic procedure changes outlined in the Implementation of the Recommended Alternative. Section II, D. In particular, this includes centralized handling of Public Land Order (PLO) preparation, waterpower withdrawal review, and processing of revocations and continuations on national forest lands.

ALTERNATIVE 1. All Management and Operational Withdrawal Functions Located in 930.

a. Change from the Existing Situation

1) Organizational Structure and placement of positions. This proposal would move the positions in 943, Lands and General Mining Law Section to 931, Branch of Lands and Recreation and establish it as a section under the Supervision of the Branch Chief. The Supervisor of the existing Section (943) spends 70 - 80 percent of his time on withdrawal work. He would provide direct technical and operational supervision of the new Section in 931. Consideration was given to moving only the positions directly involved with withdrawal. However, that would isolate the two paralegal specialists performing lands/rights-of-way adjudication functions and the Realty Specialist (reporting to the Chief, Branch of Lands and Mineral Operations) performing both lands adjudication and withdrawal functions in 943. These positions are funded by and support the lands program leader in 931. To create a unified program support unit in the spirit of this alternative, these three positions should also be moved to 931.

The existing Lands and General Mining Law Section also processes mineral entry patents. It would not be appropriate to move this function to 931. Until placement of all minerals adjudication is determined, the function of mineral entry patents and positions associated with this work should remain in CO-943, Branch of Lands and Minerals Operations.

An organization Chart depicting this proposal follows.

Organization Chart - Alternative 1: Move all Lands and Withdrawal functions to CO-931.

Branch of Lands and Recreation (931)	
Supv. Lands and Recreation Spec.	GM-0301-13
Historian	GS-0170-12
Outdoor Recreation Planner	GS-0023-12
Outdoor Recreation Planner	GS-0023-12
Realty Specialist (program leader)	GS-1170-12
Realty Specialist	GS-1170-12
Secretary (Typing)	GS-0318-05

↓

Lands and Withdrawal Determinations Section	
Supv. Paralegal Specialist (Withdrawal Review Coordinator)	GS-0950-12
Land Law Exam (withdrawal)	GS-0965-09
Realty Specialist (W/D & lands)	GS-1170-12
Paralegal Specialist (lands)	GS-0950-11
Paralegal Specialist (lands)	GS-0950-11
Conveyance Clerk (withdrawal)	GS-0963-04
Conveyance Clerk (W/D & lands)	GS-0963-04

Positions to be placed in 943:

Paralegal Specialist (Mineral patents)	GS-0950-11
Paralegal Specialist (Mineral patents)	GS-0950-11
Land Law Examiner (Mineral patents)	GS-0965-09

2) Position Management

This proposal does not envision any savings in positions.

3) Distribution of Responsibilities

The program leader and Withdrawal Coordinator functions would remain separated. The Realty Specialists on the direct staff of the Chief, Branch of Lands and Recreation, would retain program leadership of the lands and withdrawal programs. Specifically for Withdrawal, the program leader would be responsible for budget and annual workplan submissions, MBO formulation and tracking, training, policy guidance, and program planning. The Withdrawal Coordinator, Chief, Lands and

Withdrawal Determinations Section, would be responsible for all other management functions listed in Section III A. 1. applicable to the State Office.

b. Proposal Evaluation

Pros	Cons
- Provides program unity in withdrawal functions yet, some check and balance between funding and operational efforts.	- Separates lands and withdrawal program from Review expertise (Chief, L & M Ops., 943) and delegations of authority.
- Program leader and Withdrawal Coordinator would be in the same division.	- Separation of withdrawal from the Waterpower program would limit potentials for work distribution and funding flexibility between the two functions (unless water power was also moved to 930).
- Provides ready access to additional realty expertise that could be utilized in peak work periods.	- Eliminates the traditional check and balance of separate divisions.
- Provides some flexibility in budgeting and workload distribution between lands and withdrawal subactivities.	- Separates withdrawal from other adjudicative activities, limiting the potentials for work distribution between adjudicators.

ALTERNATIVE 2. All Management and Operational Withdrawal Functions Located in 943.

a. Changes from the Existing Situation.

1) Organizational Structure and Placement of Positions

No change of organizational structure or placement of positions would be required to implement this alternative.

2) Position Management

No reductions in positions would be realized.

3) Distribution of Responsibilities Between Positions

All program management responsibilities listed in Section III A. 1. would be exercised by the Chief, Lands and General Mining Law Section.

b. Proposal Evaluation

1) Pro	Con
- eliminates the need for cross-Division communication.	- requires the Section Chief to learn new skills and devote more time to non-operational activities.
- provides program unity in the Withdrawal program.	- separates the withdrawal program from the lands program leader, limiting flexibility to balance workload, staffing, and funding between the lands and the withdrawal programs.
- provides some potential for shifting funds and workload between Waterpower and Withdrawal (although they are in different Branches).	- does not provide a check and balance between the budget and operational performance.
- maintains established review and delegation of authority responsibility.	

ALTERNATIVE 3. Budget Functions Located in 930, Other Management Functions Located in 940.

a. Change from the Existing Situation

1) Organizational Structure and Placement of Positions

No change in organizational structure or placement of positions will be required.

2) Position Management

No reductions in positions would be realized.

3) Distribution of Responsibilities

The Realty Specialist, Branch of Lands and Recreation (931), would retain responsibility for budget, AWP, and related documents. The Chief, Lands and General Mining Law Section (943), would assume responsibility for all other management functions relating to withdrawal (see III. A. 1.).

b. Proposal Evaluation

Pro	Con
- no new skills required (utilizes existing expertise).	- will require good communication and a high trust level between 931 and 943 to maintain program integrity.
- will allow some flexibility to shift and balance workload and funding between the Lands and the Withdrawal programs.	- 931 does not have direct knowledge of workload and outputs on which to base WM and budget allocations (must depend on information from 943 and budget monitoring).
- maintains established review and delegation of authority responsibilities.	- Separates budget from other program direction functions that are traditionally located in 930.
- provides some potential for shifting funds and workload between Waterpower and Withdrawal (although they are in different Branches).	
- provides a check and balance between budget and operational performance.	

ALTERNATIVE 4. Oversight and Program Management Functions in Located 931, Operational and Technical Functions Located in 943.

a. Change from the Existing Situation

1) Organizational Structure and Placement of Positions.

No change of organizational structure or placement of positions is required to implement this alternative.

2) Position Management

Shift of the major program management responsibilities to 931 would relieve the Chief, Lands and General Mining Law Section, of approximately 50 percent of his work. This time would be utilized in processing withdrawals.

Shift of management responsibilities to 931 will require 50 percent of one person's time. The program leader in 931 stated that he could handle the 4213 budget, but could not handle any additional withdrawal responsibilities with out increasing his staff. Therefore, 4 - 5 workmonths of expertise will be required to provide withdrawal program management in 931.

3) Distribution of Responsibilities

The traditional approach to distribution of management responsibilities would place technical and operational guidance, and supervision and quality control of technical work in Operations. All other management functions would be exercised by Division of Lands and Renewable Resources. Refer to the listing of management functions in Section III. A. 1.

b. Proposal Evaluation

1) General Factors

The flow of work would have to change considerably to allow 931 to exercise their responsibilities. For example, to supervise realty work related to withdrawal, 931 would have to review other agency relinquishments and rejustifications, realty work performed by other BLM offices, perform some negotiation with other agencies, and prepare correspondence to other BLM offices and other agencies when needed regarding realty work. This would require constant coordination and communications between 931 and 943. Physical separation (separate buildings) of 931 and 943 would seriously impede information and work flow. Duplication or overlap of functions, difficult to avoid under the best situation, would be more likely to occur if physical location created a barrier to open, frequent exchange of information.

2) Specific Factors

Pro	Con
- Provides check and balance protection between Resource and Operations.	- Coordination between 930 and 940 would have to be outstanding.

- Provides some flexibility to balance staffing, workload, and funding between Lands and the Withdrawal program.
- Provides some potential flexibility to shifting funds and workload between other Waterpower and Withdrawal functions.
- Maintains the established review and delegations of authority for adjudicative work.
- 930 will have good program information on which to make budget decisions.
- Positions in 930 and 940 dealing with Withdrawal will be in different buildings.
- Duplication of functions will be very hard to avoid.
- BLM contacts with other agencies will be by different people for different needs (940 for problems with legal land descriptions, legal issues; 930 for problems relating to lands, environmental or minerals reports, problems regarding schedules, timelines of submissions.
- Requires 930 to become much more familiar and involved with the entire operational process.
- Time required to process an action will increase due to need to include 930 in the workflow.

D. Recommendation

1. Preferred Alternative

In priority order, the Study Team supports alternatives for distribution of management functions between CO-943 and 931 as follows:

a. Alternative 3 - Budget functions located in 931, other management functions in 943.
b. Alternative 2 - All functions located in 943.
c. Alternative 1 - All functions located in 931.
d. Alternative 4 - All management functions located in 931, all operational functions located in 943.

The Study Team did not have an overwhelming preference for Alternative 3 as opposed to Alternative 2. Both situations would be workable. Alternative 3 was selected as the preferred alternative because (1) the traditional relationship of 930 budget control to 940 operational work appears to have merit as a check and balance, (2) Maximum funding and staffing flexibility would be maintained, (3) the addition of budgeting responsibilities to the duties of the Chief, Lands and General Mining Law Section, would reduce the time available for other

withdrawal work, (4) Operations (943) was not enthusiastic about assuming the budget responsibilities, or dissatisfied to any great degree with 931's administration of that function, and (5) it is doubtful subactivity 4213 will retain separate funding after 1991 when the withdrawal review work is complete.

2. Other Alternatives

If Alternative 2, budget and all other management functions located in 943, is selected for implementation by management, the Study Team recommends the turnover of budget responsibilities be phased over two years, with shared responsibility until FY 1987. This will provide an opportunity to shift the responsibility without creating a major impact on the interplay between all lands programs currently integrated to some degree by single source budgeting. It would also allow time for the Chief, Lands and General Mining Law Section, to become knowledgeable about the budgeting process. Prior to making a decision to implement Alternative 2, management should give careful consideration to whether the concept of separation of operational work from program management still has viability as a control on expenditures of support functions.

Alternative 4, which places oversight and program management functions in 931, and operational and technical functions in 943, reflects the longstanding roles of Resources as the organization responsible for program planning, guidance, direction, budgeting, and other oversight and management functions, and Operations as the technical support unit.

On the surface, this appears to be a workable relationship, The withdrawal program, however, is unique from most other programs in several ways. Withdrawal work is generated primarily in response to factors external to the Bureau: Congressionally mandated reviews of existing withdrawals, other agency applications for withdrawals on public lands or on lands where the Bureau holds mineral estate responsibilities, and public petitions for withdrawals, restorations, or revocations. Although a withdrawal action is dependent on a resource decision, it is primarily a technical function. This is particularly true where the land involved, thus the resource decision, is primarily the management responsibility of another agency (for example, withdrawals on national forest lands).

As the great proportion of withdrawal work is operational, generated by outside demands, and not driven by resource decisions but dependent upon them, the program does not fit the conventional Bureau relationship between Resources and Operations comfortably.

If Resources assumed oversight and program management responsibilities for the withdrawal program they would be unavoidably involved in the operational work, particularly where the withdrawal is on national forest lands. This would have serious impacts on efficiency and work flow. In addition, 931 does not have adequate staff to administer the responsibilities of program management and oversight. Four to five additional workmonths of expertise would have to be secured and allocated to 931 if Alternative 4 was selected.

Alternative 1, placing of all management and operational withdrawal functions in 931, was considered unworkable at this time due to the mix of people and functions that would need to be moved from 940 to 930, and the consequent separation of those functions from review expertise and delegations of authority. This option would be viable if all adjudication was moved from the Division of Operations to the Division of Mineral Resources and The Division of Lands and Renewable Resources. That would move delegations of authority and review expertise with the operational activities, maintaining program integrity. The question of a need for check and balance between operational work and program administration should, however, be considered prior to shifting all program responsibilities into either 930 or 940.

E. Implementation of the Preferred Alternative

The preferred alternative represents, in general, a continuation of the existing mode of operations. Currently, the roles are, if defined at all, poorly described. Administration of management responsibilities has been, as a consequence, very weak. The Study Team feels strongly the following steps must be taken if any improvement in the program leadership is to be achieved:

1. Chief, Lands and General Mining Law Section (CO-943)

   a. Revise the position description for the Chief, Lands and General Mining Law Section, to reflect his current organizational position.

   b. Clearly describe, either in the position description or in the PIPR, all managerial and operational responsibilities and expected performance including coordination and information sharing with 931, District Offices, and (through District Offices) Resource Areas.

c. Clarify, by Instruction Memorandum

1) the relationship between the State, District, and Resource Area Offices in regard to forwarding files, casework, and other information to the field and the return of information, etc., from the field offices.

2) The responsibilities of the State Office and field offices for various types of cases. This should clearly describe expected performance and emphasize avoiding duplication of effort between organizational levels. (See also Implementation of Recommendation, Section II. and Section IV, Communications, Recommendation 2. d.)

3) What feedback and information sharing District/Resource Area Offices can expect regarding status of cases affecting their geographic areas of responsibilities. (See also Section IV, Communications, Recommendation 2. d.)

2. Lands Program Leader, Branch of Lands and Recreation, (CO-931)

a. Revise the position description of the lands program leader to reflect the budget responsibilities of the withdrawal program.

b. Clearly describe, either in his position description or PIPR, the expected performance in regard to withdrawal budget responsibilities. This should include basing 4213 budget allocations on workload analysis; regular budget monitoring; and full coordination, information sharing, and feedback on all budget matters with 943, Chief, Lands and General Mining Law Section.

IV. COMMUNICATIONS

A. Existing Situation

1. Communications between the Washington Office (WO) and the State Office (SO): The WO provides program policy and guidance to the SO in the form of written directives. The WO also provides verbal guidance, information, and feedback to the SO Withdrawal Review Coordinator location in 943, Division of Operations, Branch of Lands and Minerals Operations.

2. Communications between the SO and the District Offices/Resource Area Offices (DO/RAO): The SO Withdrawal Review Coordinator provides program policy and guidance by transmitting WO directives to the DO/RAO and also provides verbal guidance and information to the DO/RAO realty specialists on request.

3. Communications between the State Office Division of Lands & Renewable Resources, Branch of Lands & Recreation (931) and the State Office Division of Operations, Lands & General Mining Law Section (943): The SO Withdrawal Review Coordinator in 943 provides the Budget/Program Leader in 931 with workload and workmonth information to assist budget development and funding allocation decisions.

4. Communications between District Offices (DO) and Resource Area Offices (RA): The DO staff realty specialists relay written and verbal guidance and information received from SO to the appropriate R.A. realty specialists.

B. Findings

1. Communications between the Washington Office (WO) and the State Office (SO). The Study Team found that many of the same communications problems experienced by other State Offices are also being experienced by the Colorado State Office. The following problem areas have been identified:

   a. There is a lack of written guidance needed to insure a consistent approach by all State Offices. Specific examples include (1) confusion over what documentation and format is sufficient for land reports for waterpower withdrawal review actions; (2) whether or not complete land descriptions are mandatory in public land orders and Federal Register notices; (3) whether or not the land report title page must be attached to all land reports sent to the WO; (4) whether or not the withdrawal review of part of a withdrawal order is considered a unit of accomplishment; (5) definite policy on continuing specific types of withdrawals that holding agencies will

automatically try to rejustify, e.g. Forest Service scenic roadside zones, etc.; (6) whether or not applications for exemption under licensing for small hydroelectric power projects are considered FERC Power Project withdrawals; (7) whether or not the partial revocation and partial continuation of a withdrawal should be combined into one public land order; (8) whether or not patented lands or lands open to entry subject to Section 24 of the Federal Power Act should be included in waterpower revocation actions to clear the record; and (9) whether or not waterpower withdrawal review units and acreage should be included in the quarterly withdrawal review MATRIX report.

b. There is a reluctance by SO to proceed on verbal guidance and direction from the WO Past experience has shown that verbal advice is sometimes inconsistent with each WO staff person; all State Offices do not receive the same advice when given verbally; and verbal advice is more subject to change without notice. As a result, the SO has generally adopted a policy to wait for written guidance before taking appropriate action. Refer to memorandum dated October 29, 1982 (Appendix 14).

c. Written requests and concerns submitted by the SO to the WO seldom receive no acknowledgement or response. One example is the memorandum to the Deputy Director, Lands and Renewable Resources dated October 29, 1982 (Appendix 14). The SO received no response to this memorandum which concerned the preparation of separate and combined public land orders. Other states contacted had similar experiences.

d. Public land orders that are prepared in final form in the SO are often rewritten and retyped in the WO. Many PLO's have been changed by the WO without any notice or feedback to the SO. This has resulted in a number of errors and misinterpretations by the WO The SO has recently experienced considerable improvement in WO feedback in this area.

e. The written guidance and directives that are issued by the WO are usually not timely enough to avoid major difficulties. An example is Instruction Memorandum No. 83-429 (Appendix 15) which contains policy on BLM and Forest Service withdrawals. The instruction memorandum was issued several months after many BLM withdrawal continuations were submitted to the WO for final action. Such cases were subsequently returned to the SO for reevaluation and additional work.

f. The withdrawal review staff in the SO generally feels that the WO lacks understanding of procedures and problems in the field. An example is the WO FY 1984 Annual Work Plan Directive that all relinquishments be processed in the field within a time frame of 30 days. The SO strongly feels that the 30-day time frame is unrealistic and cannot be met even in the most routine case.

2. Communications between the State Office (SO) and the District Offices/Resource Area Offices (DO/RAO): The Study Team found that communications between the SO and DO/RAO have generally improved since November 1983. The response by the SO withdrawal review staff to verbal and written requests from the DO/RAO has been timely and adequate. However, the following problem areas have been identified:

   a. The DO/RAO are not receiving copies of all withdrawal directives published by the WO. Of those directives that are received in the DO/RAO, some are not being referred to the appropriate realty specialists. The realty staff in at least one DO is not aware of the Interagency Agreement between BLM and the Bureau of Reclamation which contains guidance and policy on Reclamation withdrawals. Refer to Information Memorandum No. 83-168 (Appendix 16).

   b. Feedback by the SO withdrawal review staff to the DO/RAO has been lacking. The DO/RAO are not being kept informed as to State Office changes, when case files are submitted to the WO for final action, or when public land orders are approved. The DO/RAO indicate that they were not given an opportunity to provide input for the national-level withdrawal review meeting held in December 1983. Also, the DO/RAO realty staffs have seen little or no feedback about the same meeting.

   c. The DO/RAO realty specialists generally consider the master title plats to be unreliable and not current. Some of the problem can be attributed to the fact that some DO/RAO are not timely filing the revised master title plats when received from the SO. Also the SO land records notations staff been behind schedule as much as five years; however, the master title plats have recently been updated so that they are now considered current. Some DO/RAO staffs have attempted to alert the SO concerning errors on the master title plats but have had little success in getting the errors corrected.

   d. There is considerable confusion within the DO/RAO as to what extent they will be involved in the review of withdrawals within the national forests. The DO/RAO generally feel that they should not be involved; however, there is no clear direction from the SO or the WO.

e. Some case files have been transmitted from the SO to the DO/RAO without adequate instructions on what type of action is required. In at least one DO/RAO the realty staff is under the impression that BLM will not prepare any land reports for withdrawal reviews and that the holding agencies are responsible for all land reports.

f. There is some confusion regarding contact and coordination with the holding agency representatives. All DO/RAO have established field contacts with some of the holding agencies to facilitate the withdrawal review process. The SO Withdrawal Review Coordinator is responsible for coordinating review schedules and submission of reports with key holding agency representatives. There is a lack of communication between the SO and the DO/RAO regarding this contact and coordination and in some cases, what the holding agency representative on the ground says may not be consistent with what is actually submitted to the SO by the holding agency.

g. The DO/RAO are generally having difficulty with the withdrawal review MBO items developed by the SO (931). Because some of the holding agencies are not meeting the review schedules on a timely basis, BLM has little or no control over what units can be accomplished during the fiscal year. The MBO requires that a certain number of specific withdrawal reviews be completed in each DO/RAO Under this system, BLM is actually at the mercy of the holding agencies. One DO suggested that case processing turn-around time be used as an MBO measure rather than actual number of cases completed.

3. Communications between the State Office (931) and the State Office (943): The Study Team found that there is a lack of communication and coordination between the Withdrawal Review Coordinator (943) and the Program/Budget Leader (931). The Program/Budget Leader may not be receiving adequate workload and workmonth information from the Withdrawal Review Coordinator to make effective decisions regarding allocation of subactivity 4213 funds. Responsibility for withdrawal review policy, guidance, and training has not been clearly defined and there is confusion over who is actually responsible. Section III addresses the roles of 943 and 931 in detail.

4. Communications between District Offices (DO) and Resource Area Offices (RA): The Study Team found that communications between the DO and RA are generally satisfactory except for the following problem areas:

a. Written and verbal guidance and information from the SO in some cases is not relayed by the DO realty staff to the appropriate RA realty specialists.

b. In at least one DO, the staff realty specialist is not providing any quality control or review of withdrawal review casework processed by the RA realty specialist responsible for withdrawal field work.

C. Recommendations

The Study Team makes the following recommendations:

1. Communications between the Washington Office (WO) and the State Office (SO):

   a. The WO should address the specific items of concern as identified under paragraph 1a of "Findings" of this section of the report and provide timely written guidance to all State Offices. The WO should also provide timely written response to all future concerns and requests.

   b. When the WO provides verbal guidance to one State Office and the subject has Bureauwide implications, they should provide written confirmation immediately, not only to the requesting State Office but to all State Office Withdrawal Review Coordinators. This will help insure a consistent approach by each State. It is also recommended that each WO staff person provide only verbal guidance that has been approved by the WO Chief, Branch of Withdrawals and Withdrawal Review. Written guidance will also limit the affects of turnover of personnel both in the WO and SO.

   c. Upon receipt of written requests for guidance and information or written concerns, the WO should acknowledge receipt in writing within 15 days. This will assure the SO that the WO is aware of a particular issue and that a more complete response will follow later.

   d. Most of the rewriting and retyping of public land orders by the WO could be avoided if the WO would provide specific public land order formats to the SO. If a public land order is not adequate, the WO should notify the SO prior to any rewriting or retyping. Such communication will help keep the SO informed of proper document format and will also prevent any misinterpretation of the intent or effect of the public land order. The WO should also arrange for a Bureauwide workshop to be attended by the SO coordinators and the key adjudicators involved in withdrawal processing and review. Public Land Order format, as well as other issues, should be covered. Instruction Memorandum No. 84-388 (Appendix 17) implies that public land orders prepared by the SO for

Department of Defense agency withdrawal reviews cannot be changed or rewritten by the WO after the SO and holding agency mutually concur in the content and wording. To avoid possible conflicts, the WO may wish to consider revising this instruction memorandum to provide for interagency concurrence after the WO has reviewed the public land order.

e. The WO should not require completion and submission of specific types of casework until adequate policy and guidance have been issued. Considerable time and effort are lost when casework must be reevaluated and reworked due to untimely direction.

f. The WO staff should familiarize itself as much as possible with the SO and DO/RAO procedures and problems. This could be accomplished by details of WO staff people to the State Offices. Likewise, a detail of SO staff people to the WO should be arranged. Time frames and schedules for processing casework should not be established without consulting the field and considering all factors involved.

2. Communications between the State Office (SO) and the District Offices/Resource Area Offices (DO/RAO):

a. The SO Withdrawal Review Coordinator should make certain that an extra copy of each WO and SO directive is sent directly to each DO staff realty specialist. Use of a messenger envelope is advisable. In this way the appropriate staff will receive early notice of directives rather than waiting for the normal distribution to filter down or possibly even bypass the staff realty specialist.

b. Although the SO Withdrawal Review Coordinator is very responsive to requests for guidance and information, the DO/RAO need to be better informed of the disposition of casework after it leaves the DO. The SO should provide the DO/RAO with carbon copies of transmittal memoranda to the WO to alert the DO/RAO when the case files actually are submitted to the WO, and also provide them with copies of public land orders as soon as they are published to show final disposition. The SO Withdrawal Review Coordinator should insure that the appropriate DO/RAO staffs have an opportunity to provide input for Bureauwide and Statewide withdrawal review meetings. Following such meetings, feedback and highlights should be timely provided by the SO Withdrawal Review Coordinator.

c. The DO/RAO should insure that the revised master title plats are promptly filed so that the most current land status is readily available to all staff. The SO land records staff

should devise a system for timely correction of errors that the DO/RAO and other SO staffs have identified on the master title plats. Rather than rely on case file transmittal memoranda and land reports to call attention to such errors, a special form could be developed to alert the land records staff directly.

d. The SO Withdrawal Review Coordinator should prepare an appropriate directive which clearly defines what role, if any, the DO/RAO have concerning withdrawal reviews and proposed withdrawals that are totally within the national forest boundaries. Responsibility for on-site field examinations, land reports, environmental assessments, mineral reports, and adjudication should be stated. Procedures for the review of Forest Service withdrawals that are outside the national forest boundaries should also be included to avoid confusion.

e. All case files that are transmitted by the SO to the DO/RAO for processing should have an appropriate transmittal memorandum that provides sufficient instructions as to what type of reports or action is needed. Advance verbal instructions are sometimes helpful; however, written instructions will help document the case for any staff that becomes involved. The SO should also clarify under what situations BLM is responsible for preparing land reports. appropriate holding agency representatives; however, all parties involved should be reminded by the SO that all withdrawal review decisions must be coordinated through the SO and holding agency counterparts. The SO should clarify the coordination roles of the SO and DO/RAO to eliminate any misunderstanding.

f. Because the withdrawal review schedules cannot be relied upon for planned units of accomplishment, case processing turn-around time should be used as the withdrawal review MBO measure for DO/RAO. As an example, the DO/RAO would be allowed 90-days to process a proposed continuation action.

3. Communications between State Office (931) and the State Office (943): The SO should clarify the roles of the Withdrawal Review Coordinator (943) and the Program/Budget Leader (931) so that responsibility for policy, guidance, training, coordination, and budget are clearly stated and understood. Also, the Withdrawal Review Coordinator should be required to provide the Program/Budget Leader with adequate workload and workmonth information for funding allocations and adjustments. (See also Section III.)

4. Communications between the District Offices (DO) and Resource Area Offices (RA):

   a. The DO staff realty specialist should insure that all written and verbal guidance and information from the SO and WO is timely relayed to all appropriate DO/RAO staff.

   b. The DO staff realty specialist should also provide quality control or review of all withdrawal review and withdrawal processing casework processed by the DO/RAO realty specialists.

COLORADO WITHDRAWAL PROGRAM REVIEW -- Transcript of flip chart pages as prepared by Study Team on 12/14-12/16/83.

Mission Statement: (Study Team Version)

Perform a "Comprehensive Study" on the "4213" program defined as:

1. Review of other agency withdrawals;
2. Review of BLM withdrawals, including waterpower;
3. Review of BLM Classifications, including waterpower;
4. Processing relinquishments of withdrawals (BLM or other agencies-FERC);
5. Processing new applications for withdrawals (BLM or other agencies);
6. Support activities, including mgmt. meetings, training, public inquiries;
7. Site evaluations.

(NOTE: For purposes of the subject "withdrawal study", the "4213" program review will exclude the waterpower staff and their technical functions, except as their work directly impacts the above six(6) items.)

The study should emphasize an analysis of workload demands by type and quantity; distribution and efficiency of funding, staffing, and workload between organizational units; and to examine the work process and methods.

The objective of this sutdy is the formulation of recommendations to improve or correct program deficiencies, if any found to exist, and opportunities for streamlining, work simplification, and efficiencies within existing constrainsts.

(Judith's Re-write of Statement)

The objective of the withdrawal study is to provide a broad scope review of the management of the "4213" program and develop recommendations, where appropriate, to improve the overall program efficiency and effectiveness.

The "4213" program is defined, for the purpose of this study to include:

(See the seven items with notation shown above)

Acknowledging the limitations of time, the study should emphasize an analysis of (1) the workload demands by type and quantity, and (2) the most effective distribution of funding, staffing, and workload between organizational units. Work processed, method, and potentials for simplification or streamlining will be examined during the course of the study as necessary to achieve the primary study emphases.

Transcript of flip chart pages, cont.

Withdrawal Review
-At CSO-

1. Consultations with other agencies (943B schedules review of cases)
2. CSO receives "Justification Report" from agency
   A. 943 reviews content and legal description(s) of land
   B. Reconcile Justification Report with BLM standards and regulations
3. Prepare "Notice of Proposed Continuation" for Federal Register
4. Field report by BLM District Office
5. Negotiate differences between district office recommendations and Applicant's request
6. Prepare "Final Public Land Order" with correspondence for Regional Solicitor review
7. Make changes pursuant to Regional Solicitor review and/or address suggested changes
8. Route through State Office staff for review and surname (943B - 943 - 940 - 930 - S.D.)
9. Transmit case to Washington Office

Transcript of flip chart pages, cont.

1. What information is needed to determine if(?) a staffing study is needed?
   - Who gets the dollars?
   - What work is done with dollars?
   - What work isn't being done?
   - Who controls dollar allocations?
   - A. Should program leader be in same division as work effort?
   - B. Should program coordinator be a single work speciality as opposed to having several work assignments?
   - C. Should program leader be the coordinator?
   - Is original philosophy still applicable (work centralization)?
   - Is decentralization a factor to be considered?
   - Can case processing be streamlined or re-arranged for efficiency?

Transcript of flip chart pages as prepared by J. Herrington on 12/15/83

Scope (of staffing study) - Particular items of emphasis (in priority order):

1. Future work load demands
2. How should funding be allocated between levels/staffing/work
3. Should coordinator and program leader be same person
4. What possibilities exist for streamlining case processing at all levels
5. Should withdrawal be centralized or de-centralized and if so to what extent
6. Should program leader be in the same division as the work effort
7. Single specialty rather than multiple program responsibilities

Parameters (in priority order):

1. Organizational responsibilities and functions at all levels
2. Work distribution/capability to do job at hand
3. Process/methods - work simplification
4. Funding levels/workmonth utilization within Colo. and excluding waterpower
5. Program direction/coordination
   W.O. Guidance - Are policies part of the problem
   Resource/Operations program responsibilities split
6. Delegations of authority and responsibilities
7. Inter-agency involvement as related to processes

NOTE: The above priority orders were determined by general concensus by the work group members at this meeting

Report to? H. Robert Moore

Team Members (for staffing study)? Two -- 1 technical person from outside withdrawal group and possibly a withdrawal coordinator from another state
- perhaps!

Closeout? DRAFT Report to Withdrawal Group (Team) then revised as Team feels necessary then to H. Robert Moore

Time Frame? March 1 - April 15, assuming 2nd team member for study available
Revised: March 1 – June ?

QUESTIONNAIRE - SURVEY OF WITHDRAWAL PROGRAM

	How effectively are the following program components meeting your 4213 needs?							How great is the need for change?					
	+2	+1	0	-1	-2	X		-3	-2	-1	0	X	
	Not effec. - Fai to meet needs	Very effec. Exceeds needs	Effective Meets needs	Less than effective Minimally meets needs	Not at all effective Does not meet needs	Don't know		Great	Moderate	Slight	None	Don't know	
1. Program Leadership													
2. Budget and Staffing													
. Allocation of 4213 funds	0	3	17	12	4	3		4	8	9	6	3	
. Allocation of non 4213 in support of program	0	0	10	12	5	10		8	6	8	5	8	
. Level of staffing	0	1	21	13	2	5		4	9	11	4	4	
. Work assignments	0	1	19	9	1	6		2	8	7	8	6	
3. Delegations of authority	0	0	14	7	6	6		7	7	1	7	2	
. Program Coordination													
. Quality & timeliness of technical information	0	2	8	20	6	4		4	15	8	1	4	
. Quality & timeliness of policy & budget informati	0	0	18	10	3	3		2	8	11	6	3	
. Support by CO-930(prog.	0	3	12	11	3	7		5	7	8	6	5	
. Support by CO-940(w/d	0	3	11	13	4	5		5	7	10	5	4	
. Support by District	0	2	22	15	2	1		3	6	9	9	1	
. Support by Resource Area	2	2	21	4	3	3		3	4	8	13	2	
. Feedback on program status	0	0	10	15	10	3		4	9	8	6	2	
. Support by WO	0	0	7	12	5	12		4	3	6	3	10	

	How would you rate your working relationship with the following groups in the 4213 program (do not mark your own area).						How great is the need for change?				
	+2	+1	0	-1	-2	X	-3	-2	-1	0	X
5. Working Relationships - Non Bureau											
U.S. Forest Service	2	12	9	1	4	9	3	1	10	11	7
Bureau of Reclamation	3	11	8	6	1	4	1	3	6	15	6
Dept. of Defense	1	5	11	2	3	13	1	1	5	11	10
Other agencies	0	6	16	2	0	10	1	0	7	12	7
6. Working Relationships - Bureau											
CO-930 (Program Leader)	4	6	10	5	5	5	3	2	11	9	7
CO-940 (w/d section)	3	8	7	6	5	6	2	1	14	9	6
District Office Realty Specialists	7	7	14	3	4	1	2	0	8	15	5
District Office Adjudication	10	5	10	5	4	2	2	1	6	15	6

	Does the quality of work prepared by others meet your needs?						How great is the need for change?				
	+2	+1	0	-1	-2	X	-3	-2	-1	0	X
7. Work Quality											
CO-930(prog leader)	1	4	12	5	4	11	4	3	4	13	11
CO-940(w/d section)	0	6	10	6	5	8	3	1	11	7	10
Dist Office Realty Spec.	1	7	17	5	1	6	0	3	4	20	6
Dist Office Adjudication	4	6	13	5	1	7	0	3	6	16	8
Dist or Resource Area Resource Spec.	2	10	16	4	0	5	0	2	5	14	6
Res. Area Realty Spec.	2	10	10	3	0	4	0	2	4	13	6
Forest Service	0	8	11	4	4	12	2	0	5	13	14
Other agencies	0	7	12	2	1	14	0	1	3	14	15

12. Who should be responsible for:

	Entirely within the National Forest					Outside the National Forest			
	CO930	CO940	DO	RA	FS	CO930	CO940	DO	RA
a. Budget allocations	10	10	7	1	16	14	10	10	1
b. Quality control	10	11	12	2	8	13	11	10	1
c. Statewide policy & guid.	13	14	1	0	7	20	14	2	1
d. Annual work assignments	7	9	11	2	14	9	11	16	3
e. Processing request	8	10	10	7	11	2	11	12	11
f. Accomplish. field exam	0	0	4	11	25	0	0	7	25
g. Preparing field rpts.	0	0	5	8	25	0	0	8	24
h. Preparing recommendations	0	3	6	10	22	0	3	13	20
i. Draft the PLO	0	8	11	6	8	0	9	14	8
j. Preparing final PLO	1	13	12	4	8	0	13	25	2
k. Submitting the PLO to W.O.	6	17	9	1	7	7	17	6	0
l. File & Record maint.	0	15	15	0	7	0	17	14	1
m. Unit reporting	0	11	13	6	5	2	10	18	6
n. Feedback on prog. status	7	14	11	0	6	10	15	9	1

13. How adequate is staffing to accomplish assigned 4213 workload?

- ☐ More than adequate 1
- ☐ Adequate 23
- ☐ Not adequate 8
- ☐ I don't know 8

14. Is the 4213 budget at your level adequate to accomplish assigned work?

- ☐ More than adequate 2
- ☐ Adequate 21
- ☐ Not adequate 11
- ☐ I don't know 8

15. Are the records which you need to do your work available when you need them?

- ☐ Always 2
- ☐ Often 12
- ☐ Sometimes 18
- ☐ Not often 7
- ☐ Never 0

	Is work prepared by others accomplished and sent to you in a timely manner?						How great is the need for change?				
	-2	-1	0	-1	-2	X	-3	-2	-1	0	X
8. Work timeliness:											
-WO-	1	1	8	10	6	8	6	4	10	6	7
-CO-930(prog leader)	0	6	9	10	5	6	4	5	7	11	7
-CO-940(w/d section)	0	5	5	13	6	7	7	4	11	6	5
-District Real. Spec.	2	8	13	7	2	4	1	2	8	16	6
-District Adjudication	6	6	12	4	2	4	1	2	5	17	5
-District/Resource Area Resource Spec.	3	8	15	3	0	4	0	2	3	18	5
-Resource Area Realty. Spec.	0	8	13	3	0	3	0	2	3	16	6
-Other Agencies	0	2	8	9	2	12	2	4	7	6	8
9. How does having the program leader located in CO-930 and the program coordinator in CO-940 affect program management?	1	0	5	7	9	9	9	2	6	4	7

	+2 Completely understand	+1 Understand enough to do my job	-1 Understand somewhat	-2 Do not understand
10. How well do you feel you understand:				
program goals and objectives	9	17	10	4
program policy and procedures	10	13	10	6
4213 budget process	10	13	10	6
work distribution process	7	16	8	8
11. How well do you feel you understand the technical process for completing:				
a. Withdrawal Applications	7	18	11	5
b. Revocations	7	19	10	4
c. Restorations	7	19	10	4
d. Withdrawal Reviews	10	18	7	5
e. Continuations/Modifications	6	19	8	7
f. Classifications	7	23	5	4

	Excellent	Good	Fair	Poor	I don't know
	+2	+1	-1	-2	X
16. How accurate is unit reporting?	3	18	7	3	9
17. How accurate is time coding to the 4213 program?	3	15	10	6	6
18. How effectively is the 4213 program operating at your level?	1	15	14	5	3

19. If your 4213 workload increased by 10%/20%/30%, could you accomplish it with out miscoding?

Workload increase:		
10%	☐ yes 20	☐ no 14
20%	☐ yes 5	☐ no 29
30%	☐ yes 3	☐ no 31

20. What percent of your time do you spend on withdrawal application and reviews, revocations, restoration, continuations, modifications, and classification review?

- ☐ None 5
- ☐ 0 - 10 percent 24
- ☐ 11 - 20 percent 7
- ☐ 21 - 30 percent 0
- ☐ over 30 percent 3

21. How long does it take to complete an environmental assessment for the average withdrawal cx (actual work time)

- ☐ 1 - 3 days 12
- ☐ 4 - 6 days 6
- ☐ more than 6 days 7

DON'T KNOW: 2

22. When do you report a unit of accomplishment? _____

_____

23. Are you doing tasks that you feel are not needed?

☐ yes 11

☐ no 20

If yes, describe _____

_____

24. Is inter agency coordination a problem?

☐ yes 15

☐ no 16 DON'T KNOW: 12

If yes, how can it be improved? _____

_____

25. Should budget direction (CO-930) and program coordination (CO-940) be consolidated?

☐ yes 28

☐ no 3 DON'T KNOW: 5

If yes, in which division should it be located and why?

_____

_____

26. Does your organization have the skills to process the following through draft FLO stage?

Withdrawal Appl.	☐ yes 34	☐ no 2
Revocations	☐ yes 34	☐ no 2
Restorations	☐ yes 34	☐ no 2
Continuations/Modifications	☐ yes 32	☐ no 3
Withdrawal Reviews	☐ yes 34	☐ no 2

If no, what skills do you need? _____

27. Are responsibilities for accomplishing the withdrawal, revocation, and restoration work correctly placed?

at CSO ☐ yes 12 ☐ no 17

at District ☐ yes 25 ☐ no 6

at RA ☐ yes 27 ☐ no 6

If no, what needs to be changed?
(address each no response separately.)

_____

_____

_____

_____

28. Do you have adequate skills and knowledge to complete work assigned to you?

☐ yes 28

☐ no 7 DON'T KNOW !

If no, describe the needs _____

_____

29. Is there 4213 work that should be done but is not funded?

☐ yes 11

☐ no 18

If yes, describe _____

_____

30. Where does withdrawal review work rank in your priorities?

- ☐ High 3
- ☐ Moderately High 7
- ☐ Average 11
- ☐ Moderately Low 5
- ☐ Low 10
- ☐ I don't know 1

31. Where does withdrawal review work rank in your supervisor's priorities?

- ☐ High 2
- ☐ Moderately High 9
- ☐ Average 8
- ☐ Moderately Low 5
- ☐ Low 8
- ☐ I don't know 3

32. How clear are the differences in preparing and processing an EA/Land report for a relinquishment case, withdrawal review case, classification case, and an application for a withdrawal?

- ☐ Always clear 1
- ☐ Usually clear 15
- ☐ Sometimes clear 6
- ☐ Rarely clear 1
- ☐ Don't know 10

33. Does allocation of 4213 funds match the withdrawal work load at your level?

- ☐ funding exceeds workload needs 2
- ☐ matches needs 11
- ☐ funding does not cover workload 9 DON'T KNOW: 2

34. What additional Withdrawal Review Responsibilities could be delegated to District Offices? _____

_____

What new skills or training would be required to handle these tasks? _____

_____

_____

Please answer the following:

1. Are you a supervisor? ☐ yes 16 ☐ no 21

2. What is the organizational level in which you work?
   ☐ Resource Area 20
   ☐ District Office 10
   ☐ State Office 10

3. If you work at District or Resource Area level, what is your District?
   ☐ Craig 5
   ☐ Montrose 8
   ☐ Canon City 10
   ☐ Grand Junction 7

If you have any additional comments about the Colorado Withdrawal program, please use this page--attach additional sheets if needed.

OTHER AGENCY AND WATERPOWER WITHDRAWALS (CASES)

On National Forest

FY	Canon City				Craig				Grand Junction				Montrose				State				
	FS	BR	Other	Total	FS	BR	Other	Total	FS	BR	Other	Total	FS	BR	Other	Total	FS	BR	Other	WP	Total
84	0	3	1	4	0	3	0	3	0	2	0	2	0	2	0	2	0	7	1		8
85	26	1	0	27	1	0	0	1	1	0	0	1	2	10	0	12	26	10	0		36
86	4	0	0	4	0	0	0	0	4	2	0	6	24	0	0	24	27	2	0		29
87	14	0	0	14	20	0	0	20	0	0	0	0	20	1	0	21	44	1	0		45
88	20	0	0	20	2	0	0	2	1	0	0	1	11	0	0	11	29	0	0		29
89	26	0	0	26	11	0	0	11	4	0	0	4	1	0	0	1	37	0	0		37
90	19	0	0	19	14	0	0	14	11	0	0	11	2	0	0	2	36	0	0		36
	109	4	1	114	48	3	0	51	21	4	0	25	60	13	0	73	199	20	1		220

Off National Forest

84	0	3	6	9	0	4	0	4	0	4	3	7	0	4	0	4	0	15	9		24
85	2	2	3	7	0	1	0	1	0	0	0	0	0	7	0	7	2	10	3		15
86	0	0	0	0	0	0	0	0	0	1	0	1	0	2	2	4	0	3	2		5
87	0	0	0	0	0	0	1	1	0	0	0	0	3	2	0	5	3	2	1		6
88	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	1	0	0		1
89	0	0	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	2		2
90	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0		1
	2	5	9	16	1	5	3	9	0	5	3	8	4	15	2	21	7	30	17		54

Total On and Off National Forest

84	0	6	7	13	0	7	0	7	0	6	3	9	0	6	0	6	0	22	10	8	40
85	28	3	3	34	1	1	0	2	1	0	0	1	2	17	0	19	28	20	3	8	59
86	4	0	0	4	0	0	0	0	4	3	0	7	24	2	2	28	27	5	2	25	59
87	14	0	0	14	20	0	1	21	0	0	0	0	23	3	0	26	47	3	1	0	51
88	20	0	0	20	2	0	0	2	1	0	0	1	12	0	0	12	30	0	0	19	49
89	26	0	0	26	11	0	2	13	4	0	0	4	1	0	0	1	37	0	2	17	56
90	19	0	0	19	15	0	0	15	11	0	0	11	2	0	0	2	37	0	0	8	45
	111	9	10	130	49	8	3	60	21	9	3	33	64	28	2	94	206	50	18	85	359

Other Agency Withdrawals
On-Off National Forest and Waterpower
(Cases)

FY	Canon City	Craig	Grand Junction	Montrose	State		
					On-Off	WP	Total
84	4-9	3-4	2-7	2-4	8-24	8	40
85	27-7	1-1	1-0	12-7	36-15	8	59
86	4-0	0-0	6-1	24-4	29-5	25	59
87	14-0	20-1	0-0	21-5	45-6	0	51
88	20-0	2-0	1-0	11-1	29-1	19	49
89	26-0	11-2	4-0	1-0	37-2	17	56
90	19-0	14-1	11-0	2-0	36-1	8	45
On-Off	114-16	51-9	25-8	73-21	220-54		
Total	130	60	33	94	274	85	359

Other Agency Withdrawals

FY	CE	Army	DOI	DOT	DOE	GSA	VA	FAA	BR	FS	Total
84	2	4	0	1	2	0	0	1	22	0	32
85	0	0	1	0	0	1	1	0	20	28	51
86	0	0	0	0	0	0	0	2	5	27	34
87	0	0	0	0	0	0	0	1	3	47	51
88	0	0	0	0	0	0	0	0	0	30	30
89	0	0	0	0	0	0	0	2	0	37	39
90	0	0	0	0	0	0	0	0	0	37	37
Tot.	2	4	1	1	2	1	1	6	50	206*	274

Other Agency Withdrawals Cases/Orders/Acres

FY	Cases	Orders	Acres
84	32	45	143,000
85	51	58	81,000
86	34	37	26,000
87	51	52	74,000
88	30	30	10,000
89	39	41	83,000
90	37	38	33,000
Total	274	301	450,000

The 85 Waterpower orders affect about 350,000 acres.

* There are about 134 cases and orders for the FS. However, the FS will submit portions of 42 of these indifferent years. Each submittal is included in the schedule (72 repetitions). The 72 repetitions are included in all tables.

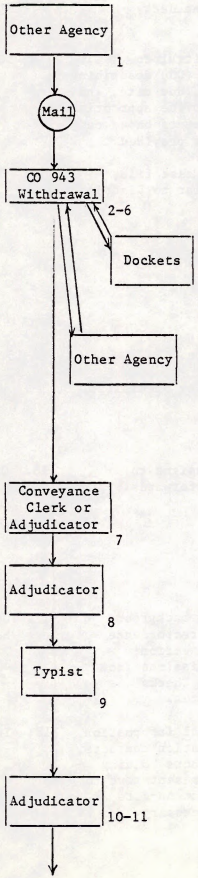
WITHDRAWAL PROCESSING/WITHDRAWAL REVIEW
Workload and Workmonths

Average per year FY 84-FY 90 (7 Years)

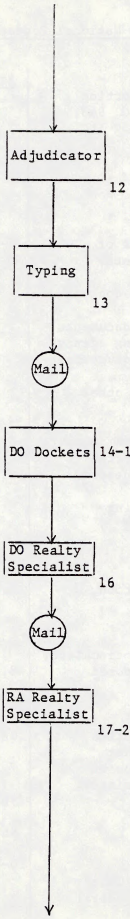
Action	Cases	Hours/Case			Workmonths		
		DO	SO	Total	DO	SO	Total
Withdrawal Review							
Continuation							
OA Off NF	5	30	45	75	0.9	1.3	2.2
OA ON NF	21	0	50	50	0	6.0	6.0
Waterpower	8	0	55	55	0	2.5	2.5
Revocations							
OA Off NF	3	35	35	70	0.6	0.6	1.2
OA On NF	11	0	40	40	0	2.5	2.5
Waterpower	4	0	45	45	0	1.0	1.0
Total	52	255	2440	2695	1.5	13.9	15.4
Withdrawal Processing							
New Applications	3	45	65	110	0.8	1.1	1.9
Petitions Rev./Rest.	19	35	35	70	3.8	3.8	7.6
Opening Orders	25	0	10	10	0	1.4	1.4
New FERC and Act of Congress Withdrawals	25	0	9	9	0	1.3	1.3
Total	72	800	1335	2135	4.6	7.6	12.2
Support (not case specific above)							
Policy and Budget					0	3.0	3.0
Coordination, Guidance, Planning					0.5	2.0	2.5
Supervision, Admin. Clerical, Training, Meetings and Reports					0.5	5.0	5.5
Public inquiries, special requests, miscellaneous consultations, resubmittals and disagreements (schedules and procedures)					0	4.0	4.0
Total					1.0	14.0	15.0
Backlog in WO - 180 cases							2-6
Office of the State Director and Division of Administration							10%
Waterpower Staff							NA

The actual number of continuations/revocations is unknown. The hours and WM allocations in this table are based on the SO (943) estimate that 1/3 of all withdrawal review cases will be revocations and 2/3 will be continuations.

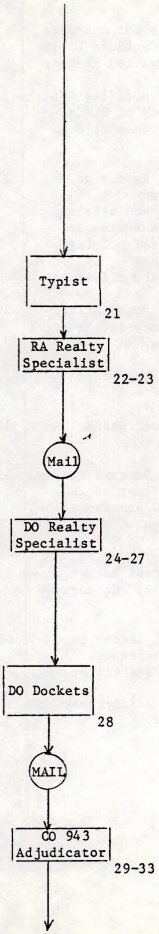
Revocations and Continuations - Other Agency - Off the National Forest



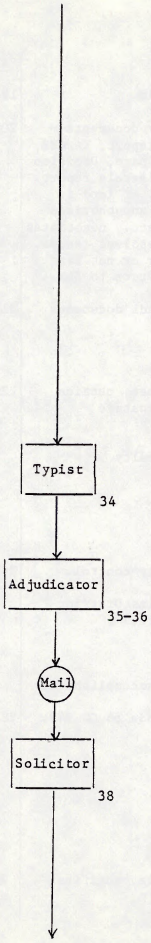
		Actual Work Time
1.	Submits documents supporting desired action to BLM CO 943.	
2.	Receives relinquishment or rejustification documents.	2-5. Two hours.
3.	Obtains case file from dockets.	
4.	Reviews case file and documents received from submitting agency. Order MTPs and other documents.	
5.	Determines adequacy of other agency submissions.	
6.	Acknowledges receipt and requests additional information from submitting agency, if needed.	6. One hour
6a.	Prepare notice to holding agencies if overlapping withdrawals.	
7.	Prepares legal description, if necessary.	7. Four to five hours.
8.	If whole or partial continuation, prepares notice of proposed continuation.	8. Two hours.
9.	Types (a) legal description, (b) Notification to other agencies, and (c) Notice of Continuation as appropriate. appropriate.	9a. one to two hours. 9b. One hour. 9c. Two hours.
10.	Proofreads Notice of Continuation signed by Chief (943), submits to the Federal Register.	10-11. One-two hours.



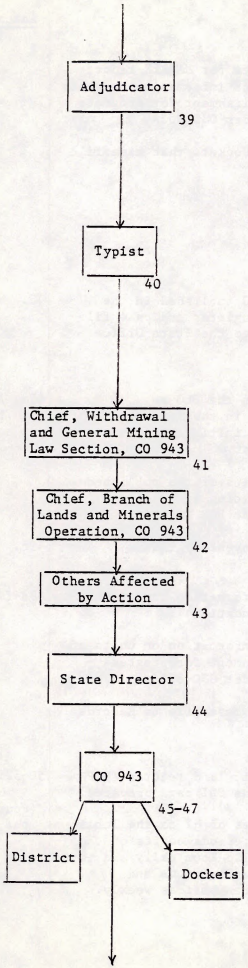
	Actual Work Time
11. When Notice of Continuation is published in the Federal Register, proofreads. Initiates corrections as needed.	
12. Prepares transmittal to District Office (DO) describing actions to date, due date, and asking DO to provide appropriate supporting documents based on on the land list provided.	12. One hour.
13. Types and sends case file, transmittal letter to District Office.	13. One hour.
14. Logs in case file. 15. Sends to DO Realty Specialist.	14-15. One quarter hour.
16. Reviews file, assigns to Resource Area, forwards.	16. One hour.
17. Reviews file for background information, correspondence pertinent to the action, appropriate submissions from other agencies. Checks current land status.	17. One to two hours.
18. Obtains additional information or makes coordination contacts, as needed. Contacts holding agency field representative to determine if joint on-site field exam is necessary.	18. Two hours.



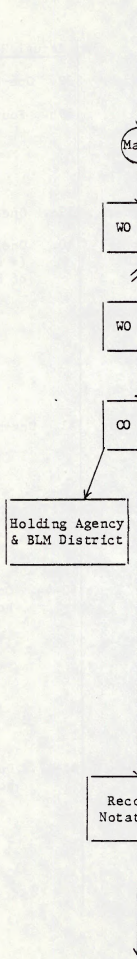
		Actual Work Time
19.	Conducts field exam.	19. One day.
20.	Prepares necessary documents--may include land report, EA/CER, land report title page, Decision Record; obtains minerals report. As to revocations, if land is contaminated, has unauthorized use-or-trespass, etc., negotiates with agency and resolves issues. Determines whether or not land is suitable for return to BLM.	20. Two days.
21.	Types and proofreads documents.	21. Four hours.
22.	Proofreads, surnames, obtains Area Manager's signature	22-23. One hour.
23.	Transmits to DO Realty Specialist.	
24.	Reviews for quality control.	24-27. One hour.
25.	Surnames and obtains District Manager's signature.	
26.	Gives to Dockets.	
27.	Reports units of accomplishment	
28.	Logs case out, sends to CO 943.	28. Fifteen minutes.
29.	Receives case file, notifies dockets.	29-30. One hour.



		Actual Work Time
30.	Reviews case file for complete documentation. Contacts DO if additional information needed.	
31.	For revocations, notifies GSA and holding agency of BLM's findings and recommendations.	31. One hour.
32a.	Notifies holding agency of BLM's findings and recommendations and obtains statement of concurrence or nonconcurrence from holding agency where Bureau recommendations are different.	32a. Two hours.
32b.	Conducts further negotiations with holding agency in the event of nonconcurrence.	32b. Two hours.
33.	Prepares Public Land Order (PLO).	33. Two hours.
34.	Types PLO and proofreads.	34. Two hours.
35.	If Department of Defense agency, CO 943 will send copy of PLO for review to DOD agency--allow 60 days for comment. Concurrent with Step 36.	35.
36.	Prepares transmittal letter to Regional Solicitor. Concurrent with Step 35.	36. One-half hour.
37.	Types transmittal letter to Solicitor and proofreads. Obtains surmanes and signatures.	37. One half hour.
38.	Reviews for legal sufficiency. Returns to CO 943.	38. NA



		Actual Work Time
	39a. Makes changes if needed.	39. One-half hour
	39b. If concurrence of other agencies was not obtained on the proposed action, prepares Secretarial Issue Document (SID).	39b. Four hours.
	39c. Prepares transmittal letter	39c. One hour.
40	Types transmittal letter to WO 322 and if needed, SID with carbon copy of transmittal letter to appropriate District (attaches copies of correspondence, PLO and other documents if nonconcurrence or changes have been made to DO recommendations.	40. One hour. (+ one hour of SID)
41	Reviews adjudicative work for completeness, accuracy. Surnames.	41. One-half hour.
42	Reviews for quality control and surnames.	42. One-half hour.
43	Surmanes	43-44. One-half hour.
44	Signs transmittal letter. Surnames PLO.	
45-47	Sends case file, PLO, original correspondence and SID, if needed, to WO 322, with carbon copy of transmittal letter to appropriate District.	45-47. One-half hour.

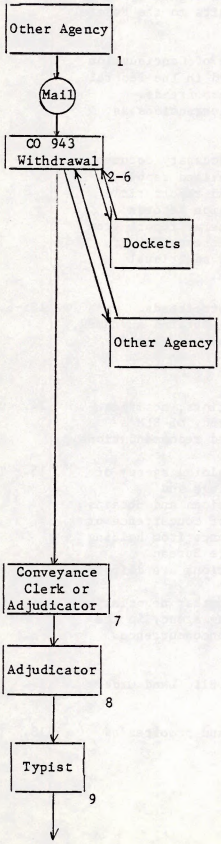


	Actual Work Time
46. Enters data for MATRIX report and submits information on units of accomplishment for progress report under CJC 3536.	
47. Notifies Dockets that case file is in WO.	
48. Signed PLO published in the Federal Register and case file returned to the State Office (CO 943).	48. NA
49a. Proofreads the PLO as published in the Federal Register, initiates corrections if necessary.	49a. & b. One hour.
49b. Sends copies of the published PLO to holding agency and appropriate BLM District.	
49c. Updates inventory (REX).	49c. One-half hour.
49d. Enters information into ALMRS (if continuation).	49d-f. Two hours.
49e. Submits information on units of accomplishment for progress report under CJC 3236.	
49f. Transmits case file to Records notation.	
50. Notes public land records (MTP and HI), has CDI card prepared.	50-52. Eight hours. (Four townships per case)
51. Sends copies of HI to the Public Room daily; sends copies of the MTP to Public Room daily and to appropriate Districts and Resource Area Offices weekly.	

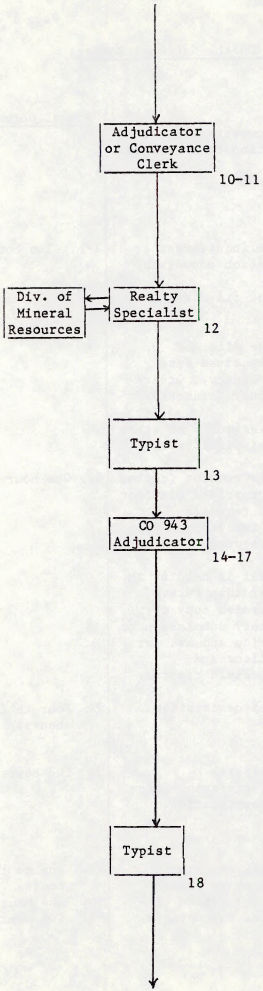
52. Returns the case file to Dockets.

Actual Work Time

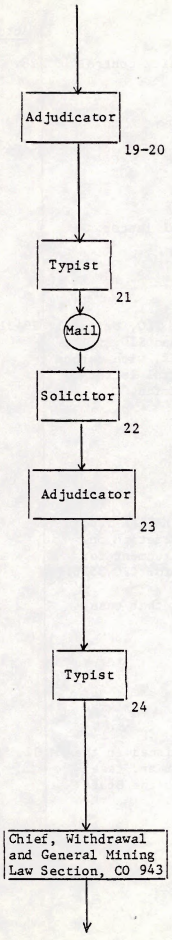
Revocations and Continuations - Other Agency - On the National Forest



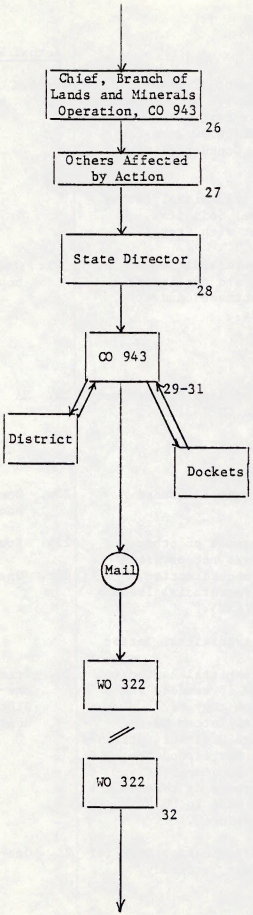
		Actual Work Time
1.	Submits documents supporting desired action to BLM CO 943.	
2.	Receives relinquishment or rejustification documents.	2-5. Two hours.
3.	Obtains case file from dockets.	
4.	Reviews case file and documents received from submitting agency. Orders MTPs and other documents.	
5.	Determines adequacy of other agency submissions.	
6.	Acknowledges receipt (carbon copy to appropriate District Office) and requests additional information from submitting agency, if needed.	6. One hour
6a.	If withdrawal is held by an agency other than Forest Service, furnish copy of holding agency submission to Forest Service and ask for recommendations and appropriate field reports.	
7.	Prepares legal description if necessary.	7. Four to five hours.
8.	If whole or partial continuation, prepares notice of proposed continuation.	8. Two hours.
9.	Types (a) legal description, (b) Notification to Forest Service, and (c) Notice of Continuation as appropriate.	9a. one to two hours. 9b. One hour 9c. Two hours.



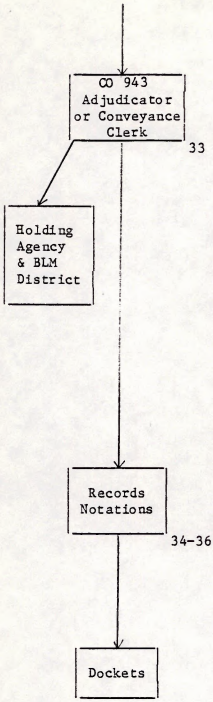
		Actual Work Time
10.	Proofreads Notice of Continuation signed by Chief (943), submits to the Federal Register.	10-11. One-two hours.
1.	When Notice of Continuation is published in the Federal Register, proofreads. Initiates corrections as needed.	
12.	Prepares necessary documents-may include land report, EA/CER, land report title page, Decision Records; obtains mineral report from CO-920. Contacts DO, if needed, for additional information.	12. Four hours.
13.	Types and proofreads documents. Obtains surnames, signatuures.	13a-b. Two hours.
14.	For revocations, notifies holding agency of BLM's findings and recommendations.	14. One hour.
15.	Notifies holding agency of BLM's findings and recommendations and obtains statement of concurrence or nonconcurrence from holding agency where Bureau recommendations are different.	15. Two hours.
16.	Conducts further negotiations with holding agency in the event of nonconcurrence.	16. Two hours.
17.	Prepares Public Land Order (PLO).	17. Two hours.
18.	Types PLO and proofreads.	18. Two hours.



		Actual Work Time
19.	If Department of Defense agency, CO 943 will send copy of PLO for review to DOD agency--allow 60 days for comment. Concurrent with Step 20.	19-20. One half hour.
20.	Prepares transmittal letter to Regional Solicitor. Concurrent with Step 19.	
21.	Types transmittal letter to Solicitor and proofreads. Obtains surnames and signatures.	21. One-half hour.
22.	Reviews for legal sufficiency. Returns to CO 943.	22. NA
23a.	Makes changes if needed.	23a. One-half hour.
23b.	If concurrence of other agencies was not obtained on the proposed action, prepares Secretarial Issue Document (SID).	23b. Four hours.
23c.	Prepares transmittal letter	23c. One hour.
24.	Types transmittal letter to WO 322 and if needed, SID with carbon copy of transmittal letter to appropriate District (attaches copies of correspondence, PLO and other documents if nonconcurrence or changes have been made to DO recommendations).	24. Trans. letter: one-half hour. SID: two hours.
25.	Reviews adjudicative work for completeness, accuracy. Surnames.	25. One-half hour.

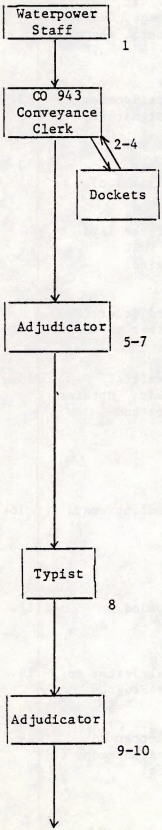


		Actual Work Time
26.	Reviews for quality control and surnames.	26. One-half hour.
27.	Surnames.	27-28. One-half hour.
28.	Signs transmittal letter. Surnames PLO.	
29.	Sends case file, PLO, original correspondence and SID, if needed, to WO 322, with carbon copy of transmittal letter to appropriate District.	29-31. One-half hour.
30.	Enters data for MATRIX report and submits information on units of accomplishment for progress report for CJC 3536.	
31.	Notifies Dockets that case file is in WO.	
32.	Signed PLO published in the Federal Register and case file returned to the State Office (CO 943).	32. NA

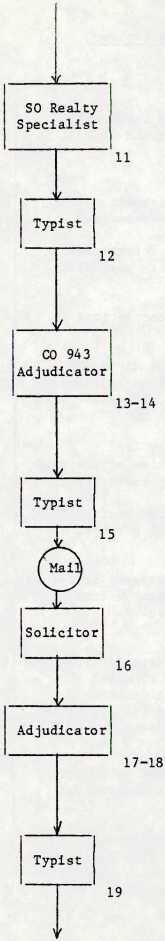


	Actual Work Time
33a. Proofreads the PLO as published in the Federal Register, initiates corrections, if necessary.	33a. & b. One hour.
33b. Sends copies of the published PLO to holding agency and appropriate BLM District.	
33c. Updates inventory (REX).	33c. One-half hour.
33d. Enters information into ALMRS (if continuation).	33d-f. Two hours.
33e. Submits information on units of accomplishment for progress report under CJC 3236.	
33f. Transmits case file to Records notation.	
34. Notes public land records (MTP and HI), has CDI card prepared.	34-36. Eight hours. (2 hours per Township and 4 Townships per case)
35. Sends copies of HI to the Public Room daily; sends copies of the MTP to Public Room daily and to appropriate Districts and Resource Area Offices weekly.	
36. Returns the case file to Dockets.	

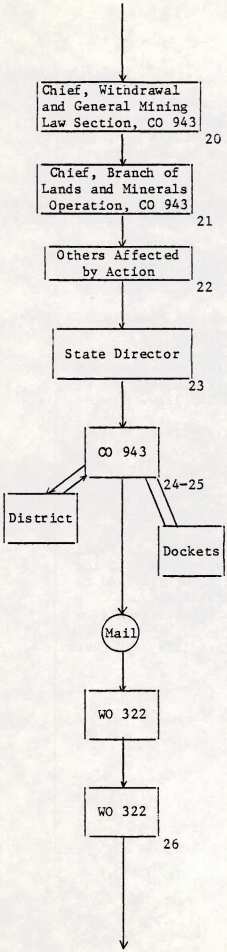
Revocations and Continuations - Waterpower



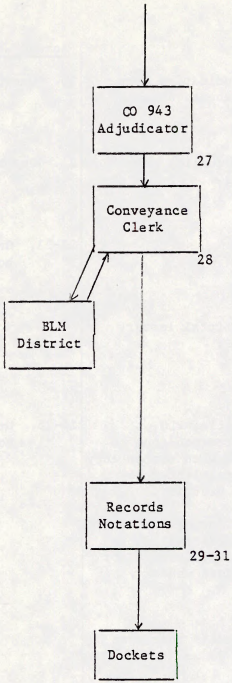
		Actual Work Time
1.	Submits documents supporting desired action to BLM CO 943.	
2.	Receives relinquishment or rejustification documents.	2-3. Two hours.
3.	Orders MTP's and determines/ obtains appropriate case files from dockets.	
4.	Prepares legal descriptions if necessary.	4. Eight to ten hours.
5.	Reviews case files MTP's and documents. Requests additional information from Waterpower Staff if needed.	5. One hour.
6.	Advise DO and other land stewardship agencies of proposed action and 30-day comment period.	6. One hour
7a.	If whole or partial continuation, prepares notice of proposed continuation.	7a. Two hours.
7b.	If revocation, prepares letter to FERC requesting concurrence on BLM recommendation.	7b. One-half hour
8.	Types (a) legal description, (b) Notification to other agencies, (c) Notice of Continuation, and (d) letter to FERC, as appropriate.	8a. one to two hours. 8b. One hour. 8c. Two hours. 8d. One-half hour
9.	Proofreads Notice of Continuation signed by Chief (943), submits to the Federal Register.	9-10. One to two hours.
10.	When Notice of Continuation is published in the Federal Register, proofreads. Initiates corrections as needed.	



		Actual Work Time
11.	Prepares necessary documents--may include land report, EA/CER, land report title page, Decision Record; obtains mineral report from CO-920.	11. Four hours.
12.	Types and proofreads documents. Obtains surnames, signatures.	12. Two hours.
13a.	Receives FERC response (Determination Application).	13-14. Two and one-half hours.
13b.	Refers case back to the Waterpower Staff if the land managing agency or FERC disagrees with original recommendation.	
14.	Prepares Public Land Order (PLO) and transmittal letter to the Regional Solicitor.	
15.	Types PLO and transmittal letter and proofreads. Obtains appropriate surnames and signatures.	15. Four hours.
16.	Reviews for legal sufficiency. Returns to CO 943.	16. NA
17.	Makes changes if needed.	17. One-half hour plus one-half hour typing.
18.	Prepares transmittal letter to WO 322, through the Program Leader D-540.	18. One hour.
19.	Types transmittal letter to WO 322/D-540 with carbon copy to appropriate District.	19. One-half hour



		Actual Work Time
20.	Reviews adjudicative work for completeness, accuracy Surnames.	20. One-half hour
21.	Reviews for quality control and surnames.	21. One-half hour
22.	Surnames.	22-23. One-half hour.
23.	Signs transmittal letter. Surnames PLO.	
24.	Sends case file, PLO, original correspondence to WO 322/D-540 with carbon copy of transmittal letter to appropriate District.	24-25. One-half hour.
24a.	Enters data for MATRIX report and submits information on units of accomplishment for progress report under CJC 3536.	
25.	Notifies Dockets that case file is in WO.	
26.	Signed PLO published in the Federal Register and case file returned to the State Office (CO 943).	26. NA



		Actual Workload Time
27.	Proofreads the PLO as published in the Federal Register, initiates corrrections if necessary.	27. One hour.
28a.	Sends copies of the published PLO to appropriate BLM District	28a-b. One-half hour.
28b.	Updates inventory (REX).	
28c.	Enters information into ALMRS (if continuation).	28c-e. Two hours.
28d.	Submits information on units of accomplishment for progress report under CJC 3236.	
28e.	Transmits case file to Records notation.	
29.	Notes public land records (MTP and HI), has CDI card prepared	29-30. Eight hours (Based on 4 townships per case.)
30.	Sends copies of HI to the Public Room daily; sends copies of the MTP to Public Room daily and to appropriate Districts and Resource Area Offices weekly.	
31.	Returns the case file to Dockets.	

FLOWCHART SUMMARY
OTHER AGENCY - OFF NATIONAL FOREST
(Hours/Case)

Steps	Sect. Chief and Others	Dockets	Adjudication/ Convey. Clerk	Typing Clerical	Realty Spec.	Nota- tions	Only
2-5			2				
6-7			6				
8			2				Cont.
9a & b				3			
9c				2			Cont.
10-11			2				Cont.
12			1				
13				1			
14-15		.25					
16					1		
17-19					12		
20					12 4		Revo.
21				4			
22-23					1		
24-27					1		
28		.25					
29-30			1				
31			1				Revo.
32a			2				Cont.
32b			2				
33			2				
34				2			
36			.5				
37				.5			
39a			.5				
39c			1				
40				1			
41-44	1.5						
45-47			.5				
49a & b			1				
49c			.5				
49d & e			2				Cont.
50-52						8	
TOTAL CONT.	1.5	.5	26	13.5	27	8	75
TOTAL REVOC	1.5	.5	19	11.5	31	8	70

FLOWCHART SUMMARY
OTHER AGENCY - ON NATIONAL FOREST
HOURS/CASE

Steps	Sect. Chief and Others	Dockets	Adjudication/ Convey. Clerk	Typing Clerical	Realty Spec.	Nota- tions	Only
2-5	.50		1.5				
6			1				
7			5				
8			2				Cont.
9a & b				3			
9c				2			Cont.
10-11			2				Cont.
12					4		
13				2			
14			1				Revoc.
15			2				Cont.
16			2				
17			2				
18				2			
19-20- 21			.5	.5			
23a			.5				
23c			1				
24				.5			
25-28	1.5						
29-31				.5			
33a & b							
33c			.5				
33d, f,			2			8	Cont.
34-35- 36							
TOTAL CONT.	1.5	.5	23	10.5	4	8	50
TOTAL REVOC.	1.5	.5	18	8.5	4	8	40

FLOWCHART SUMMARY
WATERPOWER
HOURS/CASE

Steps	Sect. Chief and Others	Dockets	Adjudication Convey. Clerk	Convey. Clerk	Typing Clerical	Realty Spec.	Nota-tions	Only
2-3		.5	1.5					
4			10					
5			1					
6			1					
7a			2					Cont.
7b			.5					Revoc.
8a & b					3			
8c					2			
8d					.5			
9-10								
11-12					2	4		
13-14			2.5					
15					4			
17			.5		.5			
18-19			1		.5			
20-23	1.5							
24-25					.5			
27			1					
28a, b & d			.5					
28c			2					Cont.
29-30							8	
TOTAL REVOC.	1.5	.5	7	12.5	11.0	4.0	8.0	45
TOTAL CONT.	1.5	.5	10.5	14.5	12.5	4.0	8.0	55

WITHDRAWAL APPLICATIONS

(Serial Number) (Case Type)

CHECK AND INITIAL EACH PROCESSING STEP AS IT IS COMPLETED. IF A STEP IS CONSIDERED NOT APPLICABLE, WRITE "NA" RATHER THAN YOUR INITIALS.

STEP NO.	INITIALS	PROCESSING STEPS
1	/__/ _____	Withdrawal application filed on (date) _____.
2	/__/ _____	Current land status (MPT) filed in case file.
3	/__/ _____	Land description checked for accuracy & land status checked for conflicts.
4	/__/ _____	Serial number assigned & serial register page prepared.
5	/__/ _____	Serial number added to withdrawal application case file log.
6	/__/ _____	Withdrawal action activated (Progress and Casework Reports).
7	/__/ _____	Geological Survey mineral report requested.
8	/__/ _____	All requirements of 43 CFR 2310.1-2 complied with by applicant agency.
9	/__/ _____	Application rejected within 30 days from date filed if all defects are not cured by applicant agency. Close case (Progress & Casework Reports).
10	/__/ _____	All holding agencies of overlapping withdrawals notified.
11	/__/ _____	Notice of Proposed Withdrawal and Reservation of Land published in Federal Register and appropriate newspaper. F.R. Notice published on _____ (date).
12	/__/ _____	Proposed withdrawal added to withdrawal inventory computer data.
13	/__/ _____	Proposed withdrawal posted to land status records and serial register page.
14	/__/ _____	All comments, objections, & requests for public meeting acknowledged.
15	/__/ _____	Mandatory public meeting held (over 5,000 acres only).
16	/__/ _____	Environmental assessment or EIS completed and approved.
17	/__/ _____	Mineral Resource Analysis Report completed and approved.
18	/__/ _____	Information on land users and right to use water furnished by applicant agency (43 CFR 2310.3-2(b)(1) and (2).
19	/__/ _____	Land Report completed and approved.
20	/__/ _____	Memorandum of Understanding (Cooperative Agreement) completed and approved.
21	/__/ _____	Applicant agency notified of State Director's findings and recommendations.
22	/__/ _____	Report to Congress prepared (withdrawals over 5,000 acres only).
23	/__/ _____	PLO prepared.
24	/__/ _____	Case file and PLO reviewed by Regional Solicitor.
25	/__/ _____	Case file, PLO, Secretary Memo (and Report to Congress) transmitted to Director (322).
26	/__/ _____	Withdrawal denied by Secretary with appropriate Federal Register notice.
27	/__/ _____	PLO published in Federal Register. PLO No._____ Date _____.
28	/__/ _____	Copy of published PLO sent to holding agency.
29	/__/ _____	Withdrawal inventory computer data updated.
30	/__/ _____	Copy of published PLO filed in case file after proof reading.
31	/__/ _____	Withdrawal application case file log noted to show action completed.
32	/__/ _____	Withdrawal action closed (Progress and Case work Reports).
33	/__/ _____	PLO posted to land status records and serial register and CDI card made.

CASE PROCESSING CHECKLIST

WITHDRAWAL CONTINUATIONS

_____ _____
(Serial Number) (Case Type)

CHECK CATEGORY OF THIS CASE FILE:

☐ TOTAL CONTINUATION/MODIFICATION OF EXISTING WITHDRAWAL

☐ PARTIAL CONTINUATION/ MODIFICATION OF EXISTING WITHDRAWAL

CHECK AND INITIAL EACH PROCESSING STEP AS IT IS COMPLETED. IF STEP IS CONSIDERED NOT APPLICABLE, WRITE "NA" RATHER THAN YOUR INITIALS.

STEP NO.		INITIALS	PROCESSING STEPS
1	☐	_____	Rejustification for continuation received and filed in case file.
2	☐	_____	Field examination control log posted.
3	☐	_____	Serial number added to Withdrawal Continuation Log.
4	☐	_____	Receipt of withdrawal rejustification acknowledged.
5	☐	_____	Current land status (MTP) filed in case file.
6	☐	_____	Federal Register notice published.
7	☐	_____	All holding agencies of overlapping withdrawals notified (except FERC).
8	☐	_____	Comments and requests for public meeting acknowledged and considered.
9	☐	_____	EIS, Environmental Assessment, or Categorical Exclusion completed and approved.
10	☐	_____	BLM/Forest Service Mineral Report or negative statement completed & approved.
11	☐	_____	Forest Service Land Report received (withdrawals within national forest only).
12	☐	_____	Land Report completed and approved.
13	☐	_____	Cooperative Agreement prepared and approved.
14	☐	_____	Holding agency concurs/does not concur with findings and recommendations.
15	☐	_____	Negotations with holding agency completed, if necessary.
16	☐	_____	If no agreement reached, case file sent to Director (322) with SID.
17	☐	_____	PLO prepared.
18	☐	_____	Case file and PLO reviewed by Regional Solicitor.
19	☐	_____	Withdrawal review action closed (Progress and Casework Reports).
20	☐	_____	Withdrawal modification action activated (Progress and Casework Reports).
21	☐	_____	Case file, PLO, Memo, and 204(1) Report sent to Director (322).
22	☐	_____	PLO published in Federal Register.
23	☐	_____	Copy of published PLO sent to holding agency.
24	☐	_____	Withdrawal inventory computer data updated.
25	☐	_____	Copy of published PLO filed in case file and in reference binder.
26	☐	_____	Withdrawal continuation log noted to show action completed.
27	☐	_____	Withdrawal modification action closed (Progress and Casework Reports).
28	☐	_____	ALMRS updated.
29	☐	_____	PLO posted to land status records and CDI card made.

CASE PROCESSING CHECKLIST
REVOCATIONS

_____ (Serial Number) _____ (Case Type)

CHECK CATEGORY OF THIS CASE FILE:

/__/ TOTAL REVOCATION OF EXISTING WITHDRAWAL

/__/ PARTIAL REVOCATION OF EXISTING WITHDRAWAL

CHECK AND INITIAL EACH PROCESSING STEP AS IT IS COMPLETED. IF STEP IS CONSIDERED NOT APPLICABLE, WRITE "NA" RATHER THAN YOUR INITIALS.

STEP NO.		INITIALS	PROCESSING STEPS
1	/__/	_____	Notice of relinquishment received and filed in case file.
2	/__/	_____	Field examination control log posted.
3	/__/	_____	Serial number added to revocation log.
4	/__/	_____	Receipt of notice of relinquishment acknowledged.
5	/__/	_____	Current land status (MTP) filed in case file.
6	/__/	_____	Geological Survey mineral report requested and received.
7	/__/	_____	All holding agencies of overlapping withdrawals notified (except power withdrawals).
8	/__/	_____	EIS, Environmental Assessment, or categorical exclusion completed and approved.
9	/__/	_____	BLM/Forest Service mineral report or negative statement completed and approved.
10	/__/	_____	Forest Service land report received (withdrawals in national forest only).
11	/__/	_____	Land report completed and approved.
12	/__/	_____	State Clearinghouse notified if action is considered significant.
13	/__/	_____	State Governor notified of proposed restoration (Federal Power Act withdrawals only).
14	/__/	_____	Land determined suitable for return to Public Domain: Holding agency notified with copy to GSA (except withdrawals in national forests).
15	/__/	_____	Land determined not suitable for return to Public Domain: Concurrence received from GSA and holding agency notified.
16	/__/	_____	PLO prepared.
17	/__/	_____	Case file and PLO reviewed by Regional Solicitor.
18	/__/	_____	Withdrawal review action closed (Progress and Casework Reports).
19	/__/	_____	Revocation action activated (Progress and Casework Reports).
20	/__/	_____	Case file, PLO, and Secretary Memo transmitted to Director (322).
21	/__/	_____	PLO published in Federal Register.
22	/__/	_____	Copy of published PLO sent to holding agency.
23	/__/	_____	Withdrawal inventory computer data updated
24	/__/	_____	Copy of published PLO filed in case file.
25	/__/	_____	Revocation Log noted to show action completed.
26	/__/	_____	Revocation action closed (Progress and Casework Reports).
27	/__/	_____	PLO noted to land status records and serial register and CDI card made.

IN REPLY REFER TO:

United States Department of the Interior

2355 (322)

BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

April 24, 1984

Instruction Memorandum No. 84-450
Expires 9/30/85

To: All SD's

From: Director

Subject: Public Meeting Requirements for Withdrawals Continued Under Section 204(l) of the Federal Land Policy and Management Act

Effective immediately, Federal Register Notices of Proposed Continuation will no longer solicit requests for a public meeting. This does not mean that a public meeting should not be held if circumstances warrant one; it merely means that the opportunity should not be so stated in the notice (see Enclosure 1).

Although this change was brought about as a result of concerns expressed by Department of Defense (DOD) representatives at the Interagency Withdrawal Review Meeting, it applies to continuation notices for all agencies. Please note, however, that this memorandum has no effect on Notices of Proposed Withdrawal for new applications.

If you have any questions on this change, please contact Sue Bosma at FTS 343-6486.

Neil F. Morck
Deputy Director for Lands and Renewable Resources

2 Enclosures:
Encl. 1 - Sample Withdrawal Review Continuation Notice (2 pp)
Encl. 2 - February 6, 1984, Decision Memorandum, Above Subject (2 pp)

SAMPLE WITHDRAWAL REVIEW CONTINUATION NOTICE

4310-33
4-21460-ILM

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Notice of Proposed Continuation of Withdrawal, Oregon

AGENCY: Bureau of Land Management, Interior

ACTION: Notice

SUMMARY: The Bureau of Reclamation proposes that a 680-acre withdrawal for the Klamath Project continue for an additional 50 years. The lands will remain closed to surface entry and mining but have been and will remain open to mineral leasing.

DATE: Comments should be received by (90 days from publication date).

ADDRESS: Comments should be sent to:

Chief, Branch of Lands and Minerals Operations
Bureau of Land Management
P.O. Box 2965
Portland, Oregon 97208

FOR FURTHER INFORMATION CONTACT: Champ C. Vaughan, Jr., Oregon State Office
503-231-6905

The Bureau of Reclamation proposes that the existing land withdrawal made by the Secretarial Order of April 2, 1940, be continued for a period of 50 years pursuant to Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751, 43 U.S.C. 1714. The land is described as follows:

(insert land description)

The area described contains 680 acres in Klamath County.

The purpose of the withdrawal is to protect the Klamath Project. The withdrawal segregates the land from operation of the public land laws generally, including the mining laws, but not the mineral leasing laws. No change is proposed in the purpose or segregative effect of the withdrawal.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments in connection with the proposed withdrawal continuation may present their views in writing to the Chief, Branch of Lands and Minerals Operations, in the Oregon State Office.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources. A report will also be prepared for consideration by the Secretary of the Interior, the President, and Congress, who will determine whether or not the withdrawal will be continued and, if so, for how long. The final determination on the continuation of the withdrawal will be published in the FEDERAL REGISTER. The existing withdrawal will continue until such final determination is made.

(date)

(type signer's name)
(type signer's title)

IN REPLY REFER TO:
2330 (322)

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

FEB 6 1984

ACTION/DECISION MEMORANDUM

To: Assistant Secretary, Land and Minerals Management

From: Director, Bureau of Land Management

Subject: Public Meeting Requirements for Withdrawals Continued under Section 204(1) of the Federal Land Policy and Management Act

Issue: Must the Federal Register notice which gives the public an opportunity to comment on withdrawal continuations also provide an opportunity for a public meeting?

Discussion: At the Interagency Withdrawal Review Meeting held in Portland, Oregon, December 6 through 8, 1983, we again discussed the public notification requirements for withdrawals being continued under Section 204(1) of Federal Land Policy and Management Act (FLPMA) of 1976. Prior to the Portland meeting, the Department of Defense (DOD) objected to BLM's existing practice of publishing any Federal Register notice advising the public that DOD wished to continue one of its withdrawals for an additional period of time. DOD argued that the withdrawal continuation involved no change in use, no additional restrictions, and in almost every case, no additional length of time since in the past most withdrawals were made for an indefinite time period. DOD also pointed out that Section 204(1) of FLPMA does not require public notification.

We agree that there is no statutory requirement; however, we believe the public should be informed of pending land actions, and we have so advised DOD.

The DOD no longer objects to the publication of a notice in the Federal Register advising the public and soliciting written comments on an existing withdrawal which has been reviewed and which the holding agency proposes be continued for an additional period of time. It does, however, object to the notice explicitly soliciting requests for a public meeting. DOD contends, and we agree, that BLM has the discretion to, and may on occasion, hold a public meeting regardless of the language in the notice.

The DOD has advised BLM that if our Federal Register notices continue to explicitly solicit requests for a public meeting, DOD will be very reluctant to submit any more rejustifications. This would be a major setback to completion of the withdrawal review program.

Recommendation: We recommend that the Federal Register notice be written so does not expressly afford the opportunity for a public meeting. However, BLM retains the discretion to hold a public meeting if it so desires. Suggested language is as follows:

> "For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments in connection with the proposed withdrawal continuation may present their views in writing to . . . ."

Robt J Burford

I concur:

Leona S. Power
ACTING Assistant Secretary for Land and Minerals Management

MAR 28 1984
Date

CO-943B(RT)
2355

OCT 29 1982

Tate
10-29-82

Memorandum

To: Deputy Director, Lands and Renewable Resources

From: State Director, Colorado

Subject: Verbal Instructions to Colorado State Office Staff Which Change Written Instructions

Instruction Memorandum 82-515 dated June 14, 1982, instructed State Office personnel to prepare separate Public Land Orders (PLO's) when a combination revocation/modification action was being taken on a withdrawal review. This office interpreted this instruction to require separate orders when a revocation action is being taken in addition to the modification. This I.M. was received in this office at the end of the 3rd quarter of the FY. Approximately 50 orders had to be rewritten to comply with this instruction.

Conversation with Washington Office Withdrawal personnel indicated that another interpretation had been made on processing public water reserves. This office received verbal instructions to prepare two PLO's for each continuation action. One order was to modify the original order for a term of 20 years and a second order to open the land to nonmetalliferous mining. These instructions required rewriting of just completed orders.

After W.O. received these rewritten orders, this office was verbally instructed that the original interpretation had been correct and that only one order should be written unless there was a revocation action. Orders that were ready for transmittal to the Washington Office had to be rewritten.

This is just one example of the verbal instructions that cause last minute changes in policy and cause an additional workload. I have instructed my staff to follow written instructions and procedures unless written instructions are received from W.O. changing existing policies.

/s/ Bob Moore

Associate

RTate:kap:10/29/82

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

2300/3000 (580)
(320)

April 1, 1983

ROUTING
910 SD
910.1 ASD
912 PA
913 EEO
930 RES
940 OPER
950 ADM
OTHER
951.4 RMS
COPY X-ACTION

Instruction Memorandum No. 83-429
Expires 9/30/84

To: All WO Officials, Field Officials, and Minerals Managers

From: Director

Subject: Justification for BLM and USFS Withdrawals

On December 1, 1982, I signed the Bureau of Land Management's Minerals Policy Statement (Enclosure 1). Among other things, this statement reiterates the Bureau's desire to prevent the unwarranted closure of Federal land to mineral exploration and development. This instruction memorandum provides further guidance on what is proper justification "in the national interest" to withdraw or to continue a withdrawal of BLM-administered lands from location under the mining laws or to preclude the disposal of other minerals by administrative action, and is supplemental to 43 CFR 2300 and Section 2355 of the BLM Manual. This guidance should also be used in evaluating Forest Service withdrawal applications and rejustification proposals.

Withdrawal Review Considerations

Section 2355 of the BLM Manual outlines Bureau policy and procedure for withdrawal review. The Manual makes it clear that public land withdrawals are to be allowed only where there is a "definitive showing of need" and where analysis has shown that no alternative approach would meet this need. The Bureau's minerals policy declaration of 12/1/82 states that BLM's land use plans and land use management decisions will provide for optimal multiple use, recognizing that mineral exploration and development can often occur concurrently with other resource uses. While the review criteria listed in BLM Manual Section 2355 (Withdrawal Review) apply to the revocation, modification or extension of existing withdrawals, this guidance, as expanded below, will apply to new withdrawals as well.

Uniqueness of Resource Values

The most significant measurement in assessing whether or not a withdrawal will be approved by the Secretary is that of uniqueness. Many resource values are in some way unique. When used for withdrawal justification, the term unique means a resource feature of limited occurrence, on a regional or national basis, that has unusual value for scientific or scenic purposes, or as an outstanding example of a natural phenomenon. Characteristics that make a feature unique are its rarity, significance, fragility, and irreplaceability.

Two recent Bureau withdrawal proposals illustrate this concept. One proposal, containing 3,537 acres, was justifiably set aside for public education and research study because it was a regionally unique, textbook example of volcanism. A second proposal to withdraw 1,125 acres for a recreation area resulted in a tentative decision to withdraw only 10± acres containing campground improvements. The remaining acreage, containing scenic backdrops, nature trail, scenic overlook and campground expansion area, will be managed using the 3809 regulations. A recreation area having scenic values and other characteristics favorable for a campground environment, may not meet the overall standard of uniqueness that would justify its withdrawal. This type of area could probably tolerate a certain level of mineral activity and still accommodate recreational use.

Risk

Many withdrawals are made on the assumption that the intended use is incompatible with mineral activities. Such attitudes envision worst-case mineral development scenarios occurring on each individual site. In reality, most mineral investigations never go beyond the prospecting or exploration stage so that the likelihood of significant damage to any particular site or resource from full-fledged mineral development is remote. Exploration operations are limited in both scope and duration, and can usually be managed so as to result in minimal and short term surface degradation. Only when a particular site or resource can tolerate no surface disturbance or interference from mineral operations, should it be withdrawn rather than managed for multiple-use.

Improvements

Bureau managers have expressed concern that valuable facilities or other improvements developed on their resource areas might be lost if mining location is allowed on these lands. Generally, where the government has made or plans to make substantial investments on public land, and relocation or replacement would be highly impractical or impossible, a withdrawal may be both appropriate and desirable for the "improved site." Administrative sites containing office buildings, warehouses, living quarters, and other significant structural improvements should be withdrawn. But in situations not involving significant structural improvements, other alternatives should normally suffice. The Surface Resources Act of 1955 (P.L. 167), 30 U.S.C. 611-615, made certain mining claims (those located after the 1955 Act and those located before but determined, in proceedings under Section 5 of the 1955 Act, not to have been valid as of the 1955 Act) subject to the right of the United States to manage and dispose of the vegetative surface resources on mining claims and to manage other surface resources on claims as long as the United States does not materially interfere with mining operations. "Managing the other surface resources" would include, for example, the development of recreation sites, or the placement of interpretive or informational signs. Improvements should be noted on the Master Title Plat in order to alert mining claimants and the general public to areas where the government has established a real property or other tangible interest.

Penalties for the destruction of Federal property are set forth in Title 18 U.S.C. 1361 (crimes and criminal procedures) and Title 43 U.S.C. 1733 (section 303(a) of the Federal Land Policy and Management Act). Pertinent regulations implementing the latter statute include 43 CFR 8363.1-6 and 43 CFR 9260. In addition, 43 CFR 3809 and 36 CFR 252 provide management control as to mitigation of impacts (see Surface Management discussion below).

Where a mining claim location precedes emplacement of a Bureau improvement, the claimant cannot be denied the right to fully develop his mineral deposit. To preclude such conflicts, the Bureau manager should avoid, whenever possible, siting improvements in areas thought to be mineralized and particularly where mining claims are present. In those situations where a BLM facility must be constructed on the claim, a quitclaim easement should be obtained in accordance with BLM Manual section 2131.

Size

Where withdrawal is justified, lands so withdrawn should be the minimum required for the intended use. Specific sites or features that are unique and whose value would be severely impaired or lost because of mineral operations, may justifiably be withdrawn. However, the need to withdraw additional lands to serve as a protective buffer, safety zone or to improve management efficiency should be examined closely to ensure that such action is warranted.

Surface Management

Federal land managers have relied historically on both formal land withdrawals and administrative segregations to protect specific public land areas from damage or disposal caused by mineral exploration and development. Managers felt they had little discretion under the mining laws to control or mitigate the effects of mineral activities. The 43 CFR 3809 and 36 CFR 252 surface management regulations were designed to, for the first time, provide management control or mitigation as to mining claims, thereby minimizing or, in many cases, eliminating the need for withdrawal.

A good working relationship between Bureau personnel and the mining industry is crucial to the success of surface management under 43 CFR 3809. The message to convey to the industry is that we are making every effort to keep lands open to operations under the mining laws, but in doing so we need their full cooperation in recognizing the sensitivity of the lands that, in the past, would have been withdrawn. We need to work closely with mining associations, companies and the individual "small miner," to stress the importance of minimal disturbance and effective reclamation practices. Bureau resource specialists can often assist the miner in designing a good plan of operations with expertise he may not have.

Similarly, Forest Service surface mining regulations (36 CFR 252) provide that mining operations on National Forest System lands be conducted ". . . so as to minimize environmental impacts on National Forest System surface resources." These regulations are more stringent than the 43 CFR 3809 regulations in that they except from agency approval only activities such as prospecting, marking and monumenting, and subsurface operations not causing significant surface disturbance. Unlike our own regulations, the 36 CFR 252 regulations may require operating plans for surface disturbing activities less than five acres in size, thus minimizing further the need to withdraw National Forest Lands from mineral development.

Procedures for the prevention of unnecessary or undue degradation are key elements of 43 CFR 3809. Bureau managers will frequently be called upon to use their judgment in deciding when this standard has or will be exceeded. In making this decision, the regulations allow the manager to consider the effect of mining activities on Federal improvements and on other land resources and land uses. In all cases, an operator will be expected to employ appropriate mitigation, including the reclamation of disturbed areas and the adoption of alternative, less damaging operating methods or access routes, if such requirements are not unnecessarily restrictive.

Consideration also should be given to alternative means apart from Federal law, to protect nonmineral resource values. For example, most western States have surface mining and reclamation laws or other environmental statutes that apply to Federal as well as to State lands. Some of these State laws are more stringent than Federal regulations and therefore impose additional requirements or supplement the Federal regulations. Where the presence of values requires special management attention, the manager might consider placing an area under ACEC, ORV closure or other special designation. Such areas would remain open to mining; however, the filing and approval of a plan of operations would be required under 43 CFR 3809 before surface disturbing activity could be undertaken. Normally, a withdrawal should not be used to replace the protection afforded by present law such as that concerning threatened or endangered species, cultural and historic resources, and wetland or riparian habitat. Guidance concerning this statutory protection as it relates to the surface management regulations is being developed by the Washington Office.

I suggest that you, as managers, take a fresh and creative approach to managing mineral resources. Our objective is to truly follow the principles of multiple-use and manage all resources to the fullest extent possible. Be assured that I am not summarily rejecting all withdrawal proposals.

We do, however, have a commitment to carefully evaluate each withdrawal application or rejustification to ensure that any approved closure is, in fact, necessary to protect Federal property or to preserve a unique resource, and that no reasonable alternative to withdrawal will provide this protection.

Withdrawal applications or withdrawals recommended for continuation or modification under the withdrawal review program, that are currently in the Washington Office, will be reviewed under the guidance contained in this memorandum. Questions regarding this guidance should be directed to Vince Hecker, WO-320 (343-6893) or, if related specifically to mineral resources, Bob Anderson, WO-580 (343-3207). Further guidance on the preparation and use of the mineral report that accompanies each withdrawal application will be developed and issued as a separate Instruction Memorandum.

Gerald E. Petty

Associate Director
Acting

1 Enclosure:
Encl. - Bureau of Land Management Minerals Resources Policy

BUREAU OF LAND MANAGEMENT

MINERAL RESOURCES POLICY

This statement sets forth BLM policy for management of mineral and energy resources on public lands. It reflects the provisions of three important acts of Congress: the Mining and Minerals Policy Act of 1970, the Federal Land Policy and Management Act of 1976, and the National Materials and Minerals Policy, Research and Development Act of 1980. This policy statement represents a commitment by BLM to implement the policies of these statutes consistent with BLM's other statutory obligations.

The Mining and Minerals Policy Act of 1970 declares that it is the continuing policy of the Federal Government to foster and encourage private enterprise in the development of a stable domestic minerals industry and the orderly and economic development of domestic mineral resources.

The Federal Land Policy and Management Act of 1976 reiterates that the 1970 Mining and Minerals Policy Act be implemented and directs that public lands be managed in a manner which recognizes the Nation's need for domestic sources of minerals and other resources. FLPMA also provides for improved inventory, planning, and decision processes.

The 1980 National Materials and Minerals Policy, Research and Development Act restates the need to implement the 1970 act and requires the Secretary of the Interior to improve the quality of minerals data in Federal land use decisionmaking. In April 1982, the President delivered to Congress the first annual report required by the 1980 act, which provided specific guidance to implement these acts.

The BLM recognizes that public lands are an important source of the Nation's mineral and energy resources, some of which are critical and strategic. BLM is responsible for making public lands available for orderly and efficient development of these resources under principles of balanced multiple use management.

The following principles will guide BLM in managing mineral resources on public lands:

1. Except for Congressional withdrawals, public lands shall remain open and available for mineral exploration and development unless withdrawal or other administrative action is clearly justified in the national interest.

2. BLM actively encourages and facilitates the development by private industry of public land mineral resources in a manner that satisfies national and local needs and provides for economically and environmentally sound exploration, extraction, and reclamation practices.

3. BLM will process mineral applications, permits, leases, and other use authorizations for public lands in a timely and efficient manner.

4. BLM's land use plans and multiple use management decisions will recognize that mineral exploration and development can occur concurrently or sequentially with other resource uses. The Bureau further recognizes that land use planning is a dynamic process and decisions will be updated as new data are evaluated.

5. Land use plans will reflect geology, energy, and mineral values on public lands through more effective mineral resource data assessment.

6. The Bureau will maintain effective professional, technical, and managerial personnel knowledgeable in mineral exploration and development.

These principles will be implemented immediately and further clarified where necessary through specific guidance to the field.

Robert F. Burford

Director, Bureau of Land Management

Date: 12/1/82

Encl. 1

United States Department of the Interior

1786 (310) Book

BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

March 31, 1983

ROUTING
910 SD
910.1 ASD
912 PA C
913 SED
930 RES C
940 OPER C
950 ADM
OTHER 920 C
951.4 SMS 2
C COPY X ACTION

Information Memorandum No. 83- 168
Expires 9/30/84

To: All Washington and Field Officials

From: Director

Subject: BR/BLM Interagency Agreement

Enclosed is a copy of the BR/BLM Interagency Agreement signed by Directors Burford and Broadbent on March 25, 1983, and is effective immediately.

This agreement is a comprehensive document aimed primarily at the management of Reclamation withdrawn lands. Its main objective is the cooperative management of resources common to both agencies. Properly executed this agreement will improve management, avoid duplication of efforts, reduce costs, and obtain and/or maintain a suitable working relationship between the two agencies. It is the product of extensive field and Headquarters review and considerable negotiations between agency staffs.

Deputy Director for Lands and Renewable Resouces

1 Enclosure
Encl. 1 - Copy of BR/BLM Interagency Agreement (15 pp)

INTERAGENCY AGREEMENT

BETWEEN

THE BUREAU OF RECLAMATION

AND

THE BUREAU OF LAND MANAGEMENT

December 1982

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B. Withdrawal Review
C. Land Sales
D. Exchanges
E. Reservation of Rights-of-way
F. Granting Rights-of-way
G. Making of Planning Studies and Engineering Investigation on Public Lands
H. Mineral and Geothermal Leases
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Section 1. Purpose: This agreement sets forth the basic principles of the Bureau of Reclamation (Reclamation) and the Bureau of Land Management (BLM) for coordinating land use planning, land resource management, land conveyance and exchange, and cooperative services. It brings coordinated efforts into compliance with recent laws and policies. Reclamation will, when requested, provide expertise in the area of water resources conservation, development and management, to be utilized by BLM in preparing its resource management plans. BLM will, when requested, provide expertise in the areas of land resource, forest, range, oil, gas, and mineral management, to be utilized by Reclamation when preparing its land management plans, and in managing Reclamation administered acquired or withdrawn public lands.

This agreement supersedes the March 8, 1972, agreement. All agreements made supplemental to the 1972 agreement will be reviewed within 5 years, and those that are inconsistent with this agreement will be revised to conform in accordance with section 6 of this agreement or will be cancelled.

Section 2. Authority to Enter into an Agreement: Through delegation of authority from the Secretary of the Interior to the Director of BLM and to the Commissioner of Reclamation, agreements may be executed between Reclamation and BLM to provide for mutually beneficial land and water use planning and management activities. Statutory authority for such agreements includes: section 307, Federal Land Policy and Management Act (FLPMA), 43 U.S.C. 1737; Economy Act, 31 U.S.C. 686; and the Reclamation Act of 1902, 43 U.S.C. Chapter 12, as amended and supplemented.

Section 3. Exchange of Services: Either Reclamation or BLM may request services of and perform services for the other, consistent with law, Executive Orders, the Code of Federal Regulations (CFR), each Bureau's instructions, and this agreement.

Section 4. Reimbursement for Services Rendered: The cost of work performed shall be reimbursable providing such work is not normally performed by the Bureau doing the work, or adequate funding for such work is not provided to that Bureau through the normal appropriation process. The requesting Bureau will transfer funds to the other Bureau to cover the estimated cost of work to be performed. The requesting Bureau will furnish a detailed estimate of the work to be performed. The transfer of funds from one Bureau to the other will be accomplished by the State Director, BLM, and the Regional Director, Reclamation, by means of a journal voucher and effected on the SF-224 by the billed agency in accordance with a specific executed agreement supplemental to this agreement. Except under emergency conditions, no work will be performed which cannot be reimbursed from funds available in the current fiscal year's appropriation. Prior to entering into any supplemental agreements that would require the transfer of funds from BLM to Reclamation, an Economy Act Determination must be prepared and approved by BLM.

Where either Reclamation or BLM has agreed to furnish reimbursable service to the other, the agency requesting the service will supply the other with estimates of the cost of such service, the work to be undertaken, work schedules, and budgetary information necessary for the agency receiving the service request to prepare and support its budget requests for the work involved. Either bureau will assist the other as requested in supporting budget presentations for reimbursable work. Such budgetary information will be provided, whenever possible, 18 months prior to the budget year plus one.

Section 5. Management of Reclamation Withdrawn and Acquired Lands:

A. Reclamation withdrawn and acquired lands on which there are authorized for construction or constructed Reclamation projects.

Reclamation has full management jurisdiction until the withdrawal is revoked or modified, and over acquired lands until the administration is transferred to another Federal or non-Federal agency by agreement or law.

At the request of Reclamation, the responsibility for management of Reclamation withdrawn and acquired lands actively in use for project purposes may be transferred to BLM through the execution of a supplemental agreement. In exercising its management responsibility, BLM will regularly coordinate with Reclamation and undertake only those management activities which would not preclude or adversely affect use of the land for Reclamation project purposes.

B. Reclamation withdrawn lands on which there are no authorized for construction or constructed Reclamation projects.

On Reclamation lands which are not within the boundaries of national forests or under another agency administration and there are no authorized for construction or constructed Reclamation projects, BLM has full administrative responsibility.

In exercising its statutory responsibilities on Reclamation land (such as those relating to the U.S. mining and mineral leasing laws, rights-of-way, and cadastral surveys other than farm-unit surveys, and the Recreation and Public Purposes Act, FLPMA, etc.), BLM, in consultation with Reclamation, shall develop special stipulations, consistent with statutory authority, and terms and conditions, as may be determined necessary by Reclamation, to protect the Reclamation withdrawn and acquired land for Reclamation purposes.

Rights-of-way grants issued for lands to be occupied by Reclamation for project purposes in lieu of a withdrawal will contain a provision for a future agreement specifying management responsibilities.

Section 6. Specific Services Applicable to this Agreement:

A. Withdrawals. All withdrawals will be made, modified, extended, or revoked in accordance with section 204 of FLPMA, and implementing rules and regulations, 43 CFR Part 2300, unless otherwise directed by specific statutes.

Reclamation will file a petition and application for a withdrawal as a method of reserving public lands for project uses when Reclamation: (1) requires administrative and/or management jurisdiction; (2) requires protection for its facilities and project uses against nondiscretionary entries; or (3) intends to transfer administrative and/or management jurisdiction to a third party. Reclamation will apply for a right-of-way for all other uses. In either case, the application will cover no more land than is needed to construct, operate, maintain, and protect Reclamation project uses and will restrict use and entry only to the minimum necessary to protect project interests. When possible, an application will be submitted well in advance of need for the land. Blocking out will be accomplished in accordance with sound real estate and land management practices whenever possible and practical.

A withdrawal to reserve an area for a particular public purpose and/or transfer jurisdiction over surface management and close the lands to nondiscretionary mineral entry and disposal will usually be required for: (1) lands necessary for permanent structures such as dams, reservoirs, large capacity or lined canals, laterals or drains, and powerplants; (2) critical watershed lands on which nondiscretionary mineral entry would likely result in the degradation of water quality; and (3) lands needed for project operation, maintenance and dam safety.

A withdrawal only granting the transfer of surface management jurisdiction and/or reserving the land for a particular public purpose will usually be required for: (1) lands needed to meet present and future fish and wildlife requirements pursuant to the Fish and Wildlife Coordination Act and/or for outdoor recreation as may be authorized by Congress; (2) lands on which sedimentation and/or wave action may occur; and (3) lands necessary for the relocation of roads, railroads, highways and utilities required as a result of project construction or operations.

Rights-of-way will be used where the jurisdiction and protection afforded by a withdrawal is not necessary. Possible examples could include: (1) lands necessary for project works and facilities such as smaller, unlined laterals, drains, pipelines; (2) transmission lines, telephone lines, and roads; (3) lands necessary for operation and maintenance buffers; (4) lands required for scenic areas, open space, greenbelts, etc.; and (5) lands needed for floodplain management.

Within 2 years, or when possible, less, from receipt of a perfected petition or application for a withdrawal or 1 year or less from the

receipt of a perfected right-of-way request, BLM will complete the withdrawal or right-of-way grant process. If the occupancy and use of the land are mandated by law prior to these time limits, or a substantial financial savings will result, BLM and Reclamation will facilitate an accelerated schedule, including an emergency withdrawal or other methods of authorizing Reclamation's entry onto such land.

B. Withdrawal Review. Under the provisions of sections 204(f) and 204(l) of FLPMA, BLM is required to review, near the date of expiration, all withdrawals having a definite expiration date, or in the case of withdrawals made prior to October 1976 having no definite expiration date, the mandated review will be completed prior to October 1991. Reclamation and BLM have established schedules for the review of all Reclamation withdrawn lands by 1991.

Reclamation will propose to convert withdrawals, where appropriate, to rights-of-way in accordance with Section 6.A. herein. The withdrawal will be retained where a right-of-way does not provide Reclamation with: (1) the necessary administrative and/or management jurisdiction to perform all current, planned, and known future project uses; (2) sufficient protection for its facilities and project uses against nondiscretionary entries; or (3) the ability to readily transfer administrative or management jurisdiction to a third party, or to maintain such third party jurisdiction. In any event, the reservation of public land by either a withdrawal or right-of-way shall cover no more land than is needed to permit Reclamation the freedom of use and discretionary action necessary to meet all of its stated and implied statutory requirements to construct, operate, maintain, and protect all Reclamation project uses, and will restrict use and entry only to the minimum degree necessary to protect project interests.

Rejustification of withdrawals will be made according to the guidelines contained in the BLM Manual Part 2355.3.

In addition to the scheduled review of Reclamation's withdrawals, Reclamation will review, according to schedules mutually agreed to at the field level, all of its pending withdrawal applications to determine if Reclamation's purposes could be served as well by a right-of-way. If a right-of-way will serve as well, Reclamation will request the withdrawal application be terminated and replaced with a right-of-way application, or if the withdrawal of lands is still needed, Reclamation will act to perfect the withdrawal application. Reclamation will provide BLM a yearly inventory update of its withdrawn and acquired lands. This updated report will be provided to BLM by November 15 of each year to coincide with Public Land Statistics requirements.

C. Land Sales. When Reclamation requests relinquishment of withdrawn lands, it may recommend sale of those lands to a specific entity or sale on the open market. If BLM determines that the lands are appropriate

for sale under provisions of section 203 of FLPMA or any other authority, BLM will, within legal constraints, honor Reclamation's recommendation.

In accordance with Departmental Manual delegation, at the request of Reclamation, Reclamation and BLM may enter into a supplemental agreement at the field level providing that Reclamation perform a specific land sale under provisions of section 203 of FLPMA. Such a supplemental agreement may additionally provide that Reclamation perform requisite land use planning prior to land sale, subject to BLM approval of Reclamation prepared plans.

D. Exchanges. When Reclamation determines that an exchange of Federal land, either withdrawn or acquired by Reclamation for private land, would be in the best interest of the Federal Government, and Reclamation does not have authority under section 14 of the Act of August 4, 1939 (43 U.S.C. 389), or other direct authority to make such exchange, BLM will, when requested, effect the exchange through its authorities. A supplemental agreement under section 7 of this agreement will be entered into at the field level for each exchange. When Reclamation land to be exchanged is acquired land, Reclamation will prepare a public notice for signature of the Secretary of the Interior and for publication in the Federal Register, which transfers the jurisdiction of the acquired land to BLM, specifically to effect the exchange. Simultaneously with the transfer of jurisdiction over the land to BLM, BLM will publish a notice of realty action as prescribed in 43 CFR 2200.1 and 2200.2 for the proposed exchange segregating the lands involved from operation of the public land laws including the mineral laws. The exchange will be consummated by BLM within 2 years. Reclamation will be responsible for all land appraisals and preparation of legal description and transfer documents. Lands received by BLM in any such exchange will be transferred to Reclamation's jurisdiction in a mutually agreed to form utilizing a right-of-way or withdrawal.

E. Reservation of Rights-of-way. When Reclamation proposes to relinquish a withdrawal, or to otherwise dispose of withdrawn land under Reclamation's direct jurisdiction and management on which Reclamation needs or anticipates a need for a right-of-way, Reclamation will, when available, provide to BLM field reports, drawings, and descriptions of any rights-of-way reserved across this land under subsection 4-P of the Factfinders Act of 1924 (43 U.S.C. 417). When mineral entry is requested on Reclamation's withdrawn land, an opening may be granted under the Act of April 23, 1932 (43 U.S.C. 154), and necessary rights-of-way may be reserved, with any conditions or terms of use necessary to protect Reclamation's interests in the land or which have resulted from interagency consultation. Rights-of-way not meeting the criteria of the above laws will be reserved under section 507 of FLPMA.

F. Granting Rights-of-way. Reclamation will, within its discretion, authority, and rules (section 10 of the Act of August 4, 1939, 43 U.S.C. 387 and section 28 of the Mineral Leasing Act of 1920, as amended), be

responsible for reviewing requests and granting rights-of-way across its withdrawn and acquired land and facilities (see section 5.A.). Reclamation will furnish BLM's respective State Director with a copy of all grants on withdrawn lands, including maps, which it issues, to be recorded on BLM's Master Title Plats.

When land under this or any other agreement is managed by a third party, Reclamation will coordinate with that party before issuing rights-of-way that would interfere with the activities of the managing party. On all rights-of-way for which Reclamation lacks authority to make a grant, BLM will issue the grant on all withdrawn or acquired lands, after consultation with Reclamation. Such consultation shall include: (1) questions of whether grant should or should not be granted; (2) modification of location of grant from the location applied for; and (3) terms and conditions and stipulations of the grant.

G. Making of Planning Studies and Engineering Investigation on Public Lands. Under the provisions of section 307(a) or other legal authority, Reclamation may enter onto the public lands to make studies and investigations necessary for project purposes, as required or authorized by Congress. Such studies and investigations will be fully coordinated with the BLM to ensure minimum disruption of ongoing programs.

H. Mineral and Geothermal Leases. Except for those minerals and conditions meeting the provisions of section 10 of the Reclamation Projects Act of 1939 (43 U.S.C. 387), leases for mineral, and geothermal resources on all land acquired or withdrawn by Reclamation will be issued by BLM. Applicants for mineral and geothermal leases on such land should be directed to file their applications with BLM's State offices. BLM will, in all issues involving mineral, and geothermal leases on or under Reclamation lands, request that Reclamation determine whether leasing is permissible and if so to provide any stipulations required to protect the interest of the United States. Reclamation will respond to this request for mineral leasing clearance within 60 days when adequate records are readily available. When adequate records are not available, Reclamation will provide an interim progress report within 30 days. BLM will not issue permits, leases, or licenses on acquired or withdrawn lands under Reclamation's management without Reclamation's consent and concurrence on all conditions and stipulations. Reclamation's recommendations on withdrawn lands under BLM management responsibility are advisory only insofar as Reclamation planned or current project uses are not adversely affected.

I. Cadastral Survey. BLM will conduct, on a reimbursable basis, cadastral surveys, resurveys, and investigations on existing and future projects in accordance with: (1) jointly agreed to schedule, provided that Reclamation will notify BLM of needs in sufficient time for it to incorporate the work into its authorized work programs; and (2) Reclamation provides the funds. If BLM is unable to accomplish a cadastral survey within Reclamation's time limits, BLM will perform the work on a

reimbursable basis by contract, or in lieu of private sector contractors, may contract with Reclamation to conduct the surveys with qualified Reclamation surveyors, according to BLM standards and procedures. The assigned Reclamation surveyors must conduct the field work and the survey plats and field notes are to be certified by a Reclamation GS-1373 Surveyor on the Surveyor's Certificate. The survey plat and field notes will be reviewed and, if adequate, be officially accepted by the appropriate BLM State office. The Reclamation cadastral surveyors will be in accordance with 43 CFR 9185.3-1(c).

BLM public land survey corner monuments, which may be destroyed or rendered useless by reason of Reclamation project construction activities, will be referenced and removed and then replaced, if possible, by Reclamation. The monuments will be at least equivalent to those existing prior to project construction.

J. Fire Protection During Project Construction. On lands described in section 5.A., Reclamation is responsible for fire protection. This responsibility may, at Reclamation discretion, be contracted out to other agencies. If Reclamation elects to contract with BLM, then prior to BLM accepting fire protection responsibility over Reclamation lands, Reclamation and BLM will cooperatively develop a mutually acceptable fire plan. Prior to commencing project construction, Reclamation will coordinate with BLM and will formulate fire prevention and control plans and programs, and will provide for fire protection. During project construction, Reclamation will take reasonable precautions and ensure all contractors take precautions to prevent and suppress forest and range fires. When a fire starts on land of either party and spreads to the lands of the other party, the administrator of the land at the point of ignition is responsible for rehabilitating the land of the other party to the degree necessary that previous management objectives can be carried out. This includes, but is not limited to, construction of temporary erosion structures, seeding, reforestation, restoration of improvements, and fencing.

K. Forestry. Forest/woodland resources present on Reclamation acquired or withdrawn lands, as described in section 5.A., are the responsibility of Reclamation, and when such lands are not located within or adjacent to National Forest lands, they may be managed by BLM in accordance with supplemental agreements entered into between BLM State Directors and Reclamation Regional Directors.

Prudent forest management actions will be conducted on these lands to the maximum extent consistent with future use of the land for Reclamation project purposes. When BLM is managing the forest or woodland resources, BLM foresters will coordinate with Reclamation personnel in developing and executing needed management actions.

Sales will be the preferred method of disposing of wood products. All revenues shall be deposited into a treasury account as directed by Reclamation in accordance with applicable statutes.

L. Grazing and/or Beekeeping. On lands under the jurisdiction of Reclamation not located within or adjacent to a National Forest on which grazing and/or beekeeping is compatible with Reclamation's current or planned use of any land area, BLM may, at Reclamation's request, manage grazing and/or beekeeping on those lands, subject to a supplemental agreement made in accordance with this general agreement and under such provisions as Reclamation may deem necessary. On Reclamation withdrawn or acquired land where the management under supplemental agreement is with BLM, all grazing and/or beekeeping leases or permits issued by BLM shall be issued for BLM's normal permit or lease period, but shall include such special stipulations as determined necessary for Reclamation to protect the land or facilities for Reclamation project purposes. When Reclamation determines that within 2 years its needs and uses will no longer be compatible with grazing and/or beekeeping, Reclamation will so notify BLM enabling it to notify the lessees and permittees and terminate the leases and/or permits in accordance with section 402 of FLPMA. Under emergency conditions leases and permits may be terminated with shorter notice.

Grazing and/or beekeeping fees collected by BLM from Reclamation land managed by BLM shall be deposited into a treasury account as directed by Reclamation in accordance with applicable statutes. BLM will furnish, concurrent with the deposit by BLM, a copy of the certificate of deposit showing the date of deposit, fund symbol, amount, and Reclamation project number. When authorized by Reclamation, revenues or fees collected may remain with BLM to serve as Reclamation's reimbursement for work performed.

M. Mining Claims. Where the construction of a Reclamation water resource project requires the clearance of title to public land encumbered by unpatented mining claims, BLM will conduct, on a reimbursable basis, the examination of all unpatented mining claims. If construction is imminent, the agencies will work together to expedite clearance. The validity investigations of mining claims will, whenever possible, be in accordance with jointly agreed to schedules, wherever construction contractual schedules are not the driving force, and time will permit. Whenever possible, Reclamation will notify BLM of its needs in sufficient time for BLM to incorporate the work into its work program. Reclamation will notify BLM at least 30 months before the beginning of the fiscal year in which the work is needed; except when Reclamation finds it cannot give this lengthy notice with respect to clearance of a small area, such as a damsite, pumping plant, substation or radio communication site, then Reclamation and BLM will negotiate a suitable schedule sufficient to protect Reclamation's facilities.

As soon as Reclamation identifies a need for clearance of title work, Reclamation will supply BLM with a statement of the work it needs done, including necessary maps and other pertinent information. BLM will supply Reclamation with estimates of cost, manpower, time required, and other information. The State Director and the Regional Director will make necessary arrangements for incorporating the work into BLM's program.

Upon completion of the validity examination, BLM will notify Reclamation of the findings and recommendations. Where BLM believes mining claims are not supported by discovery, BLM will initiate a contest action and will report to Reclamation on the results of such actions.

N. Recreation. When the management of Reclamation withdrawn or acquired land not located within or adjacent to a National Forest is with Reclamation in accordance with section 5 of this agreement, unless otherwise authorized by Congress, Reclamation's recreation planning, development, and management will be in accordance with Public Law 89-72 (79 Stat. 213). Reclamation will encourage non-Federal public bodies to manage recreation associated with Reclamation's land and water areas. When a non-Federal recreation manager cannot be found, Reclamation will discuss with BLM the option of BLM managing recreation on Reclamation project lands. Supplemental agreements will, if necessary, be utilized to determine the management responsibility and funding reimbursement. The two agencies will assure coordination and cooperation to promote compatibility of recreation development and operation (including compatible recreation fee structure) on adjacent Reclamation/BLM lands. When Reclamation plans recreation development on project lands, it will consider recreation use and recreation potential of BLM administered lands that are adjacent to Reclamation project lands. When BLM plans recreation development on lands adjacent to Reclamation project lands, it will consider recreation use, recreation potential, and previously developed Reclamation recreation plans for authorized or constructed Reclamation projects. If BLM prepares plans or management actions that could alter recreation potential of a Reclamation project that is not yet constructed, BLM will consult with Reclamation.

O. Fish and Wildlife Mitigation and Enhancement. Each agency will coordinate with the other when its plans and activities involve fish and wildlife resources and values related to lands administered by the other. Where water-related projects of either agency involve meeting the requirement of the Fish and Wildlife Coordination Act (FWCA), the agency initiating the action will ensure that the coordination and other requirements of the FWCA are met. Plans for the management of wildlife resources on lands of interest/concern to both agencies shall be developed jointly with the State under authority of the Sikes Act (16 U.S.C. 670 a-f). Management of the lands will be specified in a habitat management plan (HMP) developed for the area. The HMP will become part of Reclamation's land resources management plan for the area. Where a supplemental agreement executed for the specific Reclamation project provides for BLM's implementation of the approved mitigation plans, Reclamation will transfer the funds necessary to enable BLM to carry out its agreed to efforts. State funding and participation will be as specified in supplemental agreements between the agencies cooperating on the specific project, and in accordance with BLM's existing memorandum of understanding with the concerned State wildlife agency. Cooperative programs of both agencies shall be implemented by the State Director and the Regional Director in accordance with the management plan for the project. BLM will be

responsible for funding such projects on its lands or on Reclamation lands where no Reclamation project is planned, and on which withdrawals have not been revoked. Reclamation will provide funding for wildlife management related plans/activities/projects on the withdrawn public lands whenever such plans/activities/projects are for the purpose of mitigating the impacts of Reclamation projects.

P. Environmental Impact Analyses and Statements. All actions taken pursuant to this agreement concerning environmental matters will conform to the requirements of the Council on Environmental Quality regulations, 40 CFR Parts 1500-1508, 516 DM-1-7, the Bureau of Reclamation National Environmental Policy Act (NEPA) Handbook, and BLM Guidebooks 1791 and 1792. The agency (BLM or Reclamation) initiating the action which requires NEPA compliance will be the lead agency.

Where BLM or Reclamation proposes an action in an area where both Bureaus have responsibility or interest, the two Bureaus will cooperate in the preparation of the appropriate environmental analysis and, where necessary, the lead agency as defined above will prepare the categorical exclusion checklist, environmental assessment, FONSI, or EIS.

Cultural resource protection and management matters will conform to applicable sections of 36 CFR 60, 63, and 800; Reclamation Instructions Part 376.11 and BLM Manuals 8100, 8110, and 8111.

Q. Planning Program. If either agency proposes to prepare a plan or undertake a study involving lands administered by or affecting the interests of the other agency, the agency proposing to conduct the study will provide notice to the affected agency at the time when it is proposed. The agencies shall fully coordinate their plans and studies allowing ample time for budget considerations. When appropriate, the planning agency's plans may be adopted by the other agency as an amendment to its own land use or resource management planning document. Provisions of 43 CFR 1600 and other appropriate authority will be utilized in revising, amending, or preparing planning or study documents.

Inconsistencies between the plans of the two agencies will be addressed as prescribed by the planning authority of each agency. Differences unresolved through negotiation will be referred to the Assistant Secretary - Land and Water Resources for action as deemed appropriate.

In the preparation of all planning documents, BLM will serve where practicable and legal as the primary supplemental source of expertise for various areas of multiple use land management when so requested by Reclamation. Reclamation will serve where practicable and as requested by BLM as the primary source of expertise in the planning, management, and development of water resources. This does not replace or supplement earlier agreements which either agency has with third parties.

R. Engineering and Technical Services. BLM State Directors may, at any time, request Reclamation Regional Directors for service in connection with the planning, investigation, design, inspection, construction, repair, or rehabilitation of engineering works, including activities under emergency conditions. There is one exception to this procedure. In accordance with DM 753 1.3c, requests for services related to dam safety will be initiated by BLM's Dam Safety Officer, Denver Services Center, or Chief, Division of Engineering, Washington, and submitted to the Reclamation Dam Safety Officer, Engineering and Research Center, Denver, or to the Commissioner, Washington. Requests may be for inspection, site investigations, and other exploratory work necessary to provide projects of a reconnaissance grade, or feasibility grade, with sufficient technical details and costs estimates to support BLM's budget requests.

Requests for engineering services will be made by letter from the State Director to that Regional Director responsible for the area in which BLM's works needing services are located. To the extent practical, such requests shall be made 18 months prior to the budget year plus one, or as early as possible to permit coordination with Reclamation work programs. The requests shall specify the following:

a. Job requirements;
b. Nature of the work to be done;
c. Extent of engineering and other services to be performed;
d. Schedules to be met; and
e. Budgetary information.

Where construction work which will cost over $1,000,000 and will extend over more than one fiscal year includes the issuance of invitations to bids and specifications for construction is to be undertaken by Reclamation for BLM, a separate supplemental agreement covering such work, and the record of its financing, shall be executed between the State Director of BLM and the Regional Director of Reclamation. Reimbursement shall be made promptly upon receipt of information or a detailed statement of cost. Such budgetary information will be supplied, whenever possible, 18 months prior to the budget year plus one. The indirect costs charged for work performed by Reclamation or BLM shall include supportable overhead costs associated with work performed under this agreement and based on the guidelines established in part 346, DM 3.4 of the Departmental Manual. These costs shall not be calculated by using arbitrary factors.

S. Wild and Free-Roaming Horses and Burros. When wild and free-roaming horses or burros inhabit areas crossing administrative boundaries between BLM and Reclamation, their management and protection will be the responsibility of BLM, under its regulations. Upon request from Reclamation, BLM will cooperate in the removal, and relocation or disposal, of such animals from Reclamation lands (see section S.A.).

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

March 30, 1984

BLM - OSO ROUTING
910 SD
910.1 ASD
912 PA
913 EEO
920 MIM
930 I&RR
940 OPES
950 ADM
OTHER
951.4 RMS
C-COPY X-ACTION

Instruction Memorandum No. 84-388
Expires 9/30/85

To: All SD's

From: Director

Subject: Procedures for Coordinating Departments of Army, Air Force, and Navy Withdrawal Review Public Land Orders

Discussions at the recent Interagency Withdrawal Review Meeting revealed a misunderstanding concerning how Army, Air Force, and Navy public land orders (PLO) would be coordinated and forwarded to the Bureau of Land Management's (BLM) Washington Office (WO). The Corps of Engineers (COE) and Navy wanted assurance that an agreement reached by BLM field personnel and a COE District Engineer or the Navy's Director of Real Estate, Western Division, Naval Facilities, Engineering Command on a specific case, would not become a PLO signed by the Secretary of the Interior until after the Army, Air Force, or Navy Secretary had reviewed and approved it. The COE and Navy have agreed to review the draft PLO as prepared by the State Office.

BLM Manual 2355.35G1, steps 4, 5, and 6, provide for continuous coordination between BLM and the holding agency throughout the review process. Normally, the holding agency's head would be sent a copy of the final draft PLO at the same time the case is forwarded to WO (322). In working with the Army, Air Force, or Navy, however, you should send a copy of the final draft PLO to the Defense Agency field representative for submission to the appropriate Secretariat for approval. The case file will not be forwarded to WO (322) until the Army, Air Force, or Navy Secretary has approved or commented on the PLO or the expiration of 60 days after receipt of PLO by the Defense Agency field representative, whichever comes first.

If you have any questions or need further clarification on this guidance, please contact Jim Powell, WO-322, at FTS 343-6486.

Joyce M. Kelly
Assistant Director, Land Resources
Acting